




WASHINGTON
TO
LINCOLN

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Rev Thompson

RECOLLECTIONS
OF
SIXTEEN PRESIDENTS

FROM
WASHINGTON TO LINCOLN

BY
RICHARD W. THOMPSON

“Let us forget party and think of our country. That country embraces both parties. We must endeavor, therefore, to serve and benefit both. This can not be effected while political delusions array good men against each other.”—GOUVERNEUR MORRIS.

“Three-score and ten I can remember well;
Within the volume of which time I have seen
—————things strange.”
—SHAKESPEARE.

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PREFACE

IT having been understood among my friends that I have seen all the Presidents of the United States, except Washington and the elder Adams, their partiality has prompted the request that I should communicate to the public my recollections of them, and of other public men whom I have known personally during a life now past four-score years. To this request I have frequently replied that when my active intercourse with the world had ceased and the bustling affairs of life were laid aside, I would undertake the task. That time having arrived, I now begin the fulfillment of my promise.

My personal recollections do not reach back far enough to embrace any portion of the period covered by the administrations of Washington, the elder Adams, Jefferson, and Madison; and are only shadowy with reference to that of Monroe. But my early associations were such as to bring me from boyhood into immediate intercourse and under the direct influence of men of the Revolution, who stamped impressions upon my mind, with regard to early events and those who were the chief agents in producing them, which nothing intervening, howsoever stirring, has been able to remove. The scenes and incidents which attended this intercourse often re-appear with the vividness of present reality, and memory has lingered about them with so much

profit and pleasure that these impressions of early life have ripened into the opinions and convictions of my old age. Their admonitions of fidelity to the institutions they aided in creating are as "fresh about me" as if uttered yesterday, and are so noted in my "book of memory" as to have become indelible.

The complete history of a nation is not found in printed books, nor can it be compressed in the mere recital of events. Its spirit is embodied in the united energy of a whole population. Its philosophy can be discovered only in the unwritten occurrences which are preserved in the memories of those contemporaneous with them. It was well said by Shakespeare:

"There is a history in all men's lives,
Figuring the nature of the times deceased."

History has been called a labyrinth in which one may easily be lost. Be this as it may, it is undoubtedly true that some historians indulge in excessive flattery and others in indiscriminate detraction. The former find merit where it does not exist—the latter ignore it where it does. The excesses of both are misleading. Consequently, it often requires acute discrimination to ascertain what is true and what is false, as regards both events and individuals. And the patient investigator often finds his difficulties increased by the barriers which political parties have thrown up, and which confront him unexpectedly.

Nevertheless, we should not visit censure too lavishly upon political parties. Under a popular form of government like ours, they are beneficial when harnessed and restrained by discreet and moderate counsels. They then

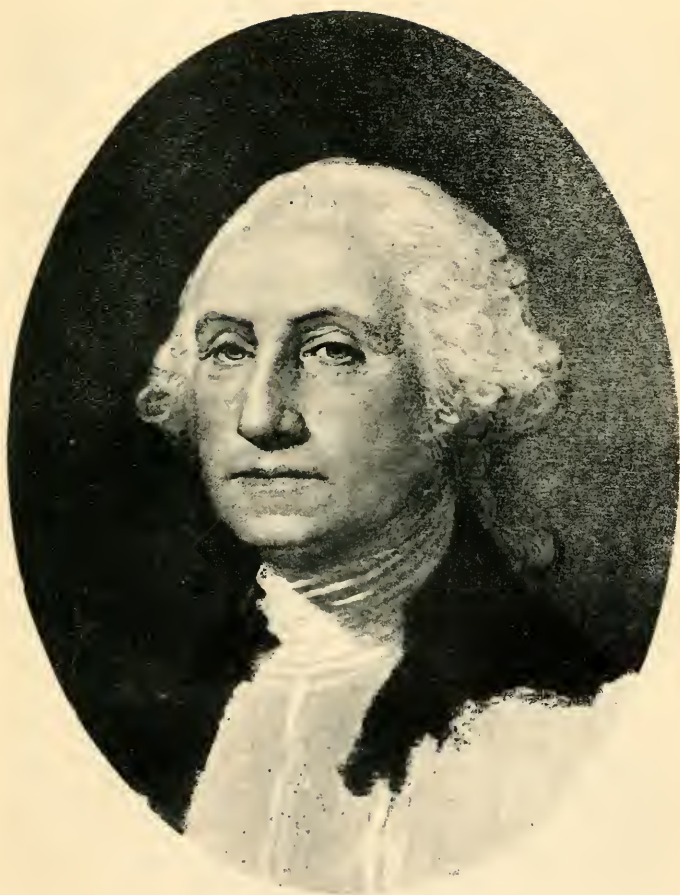
become a safeguard against undue encroachments upon the just authority of the National Government, the States, and the people,—holding all the sources of power in proper equipoise. They become dangerous, however, when brought under the dominion of ambitious rulers who employ them to reward their friends and punish their enemies, without any regard to what the public welfare requires. When this occurs they threaten to corrupt the sources of political authority and breed disorders which, if allowed to remain unchecked, may become as fatal to the cause of good government as the fevers produced by miasmatic poison are to the human body. The wrecks scattered along the pathways of destroyed nations sufficiently attest this. When party excitement is responsive to honest and intense convictions it is commendable and not censurable. But when allowed to degenerate into animosity and hatred, it tends to obliterate the distinction between right and wrong—between justice and injustice. Those who then submit to its dominion are apt to delineate the characters of their associates in glowing colors, whatsoever their vices; and to cast censure and reproaches at their adversaries, no matter how virtuous they are. This is calculated to exterminate all confidence between individuals and is a menace to the peaceful intercourse of society.

It is not likely the time will ever come in this country, so long as our popular institutions survive, when party animosities will entirely cease. Such a time has not hitherto existed. It was more nearly reached during the peaceful administration of Monroe than ever before or

since. But that was a period when they were only smoldering, like pent-up fires, ready to break out again when the inciting causes re-appeared. When Jefferson, in his first inaugural, ventured to assert,—“We are all Republicans—we are all Federalists,”—he drew largely upon his imagination; for however much he may have desired this, he must have known that former antagonisms were not entirely extinguished, but had sown seed that would sprout, and grow, and bear the same fruit again. The political atmosphere was poisoned by their influences even during the administration of Washington, when all his energies were employed in patriotic efforts to fix the pillars of the government firmly in their places, and when a single false step upon his part might have wrecked our infant institutions. As the history of these partisan conflicts was among the lessons I learned from some of those who followed “the flag of liberty” during the Revolution and who vindicated the honor of Washington and the policy of his administration, it ought not to be wondered at that I have been thus furnished with a rule for the interpretation of much of our early history which might otherwise have seemed obscure. It is proper, therefore, to say that in many of the opinions expressed in these pages, I have been guided by this rule, which has been, during a long life, satisfactory to myself.

R. W. T.

GEORGE WASHINGTON



G. W. K. Peters

CHAPTER I

GEORGE WASHINGTON

IT is not easy to conceive of difficulties surpassing those encountered by Washington, from the beginning of his administration. No man had ever before been trusted with higher duties. He had to mark out paths for a new and untried government,—to reconcile conflicting opinions,—to pour balm upon bleeding wounds,—to quench factional and sectional fires,—and to steer the Union safely by the whirlpools that had engulfed the Confederation. Upon none of these had any light been thrown by the past experience of the country. Hence, it must have been manifest to him, and to all others, that if these ends were to be reached, it must be done by untried but affirmative measures of National policy which should operate alike upon all the sections of the Union,—neither permitting the large States to impair the just rights of the small, nor both combined to impair those of the Union. As the north star guides the mariner through the trackless seas, so was the “general welfare” of the united body of the people to be recognized by him as the chief object to be attained.

After Rhode Island had entered the Union by ratifying the Constitution he expressed himself in these words: “Since the bond of union is now complete, and we once

more consider ourselves one family, it is much to be hoped that reproaches will cease and prejudices be done away; for we should all remember that we are members of that community, upon whose general success depends our particular and individual welfare; and, therefore, if we mean to support the liberty and independence, which it has cost us so much blood and treasure to establish, we must drive far away the demon of party spirit and local reproach." And in speaking of the form of government, during the same year, he said: "The establishment of our new government seemed to be the last great experiment for promoting human happiness by a reasonable compact in civil society. * * * * To me there is nothing in it beyond the luster, which may be reflected from its connection with a power of promoting human felicity. * * * * That the government, though not actually perfect, is one of the best in the world, I have little doubt." Thus he exhibited, at the beginning of his administration, that lofty and patriotic spirit which animated him throughout, and which should be carefully held in remembrance when interpreting the measures of public policy with which his name is identified. That these sentiments were continually present in his mind, throughout his administration,—giving direction to all his official acts,—is as certain as anything in history. Even now, after so many years have elapsed and the borders of the nation have been stretched from the Atlantic to the Pacific, and the country has passed through the most serious and alarming trials, the public sentiment is fixed in the conviction that he, above all other men, is entitled to be known as "the father of his

country." If a single individual could be found to antagonize this popular belief, the very name of such a man would be odious.

Washington's administration represented a "consolidated" Union,—not centralized with the purpose to lessen any of the just powers of the States by creating a National Government with power either to absorb or impair them; but to protect and advance the "general welfare" by doing whatsoever was requisite to that end. The States were left with such of their original powers of sovereignty over their own legitimate affairs as would enable each one to exercise absolute authority over the interests and happiness of the community composing it. But as it was essential to a National Union that the interests and happiness of the whole body of people who compose the nation should be guarded by powers general in character, the Constitution wisely conferred these upon the National or General Government. The Union means this—nothing more nor less—and could not have been otherwise formed. Those who, by lessening its powers, endeavored to limit its authority in the necessity of dealing with foreign governments and affording protection against them, unwisely overlooked the more commanding necessity for holding the States in the bond of unity, so that by growth and material development, "the last great experiment for promoting human happiness," should be a complete success and not a failure. Washington, therefore, became not only the advocate but the exponent of these principles; and when he realized, early in his administration, that others in conflict with them were entertained, he was grieved by the

necessity which constrained him to call their advocates "ill-boding politicians, who prognosticated that America never would enjoy any fruits from her independence, and that she would be obliged to have recourse to a foreign power for protection;"—meaning France, as her revolution then seemed to assure the ultimate triumph of popular government over monarchy. The idea he then entertained, and cherished until his death, was that as the Union had been created by the American people for themselves and their posterity, it could be preserved and perpetuated only by freeing it from all entangling alliances with foreign powers and holding it in dependence, solely and entirely, upon the popular will. While he hoped, therefore, that the right of self-government would triumph throughout the world, and that kings would be dispensed with for the better security of human happiness, he steadily cherished the conviction that as Providence had guided this country to independence through all the perils of the Revolution, the same Providence had enjoined upon the people who composed the nation the sacred obligation of preserving it alone by such systems of domestic measures as were necessary to its unity and their own security. No man felt a deeper or keener sense of gratitude than he for the assistance rendered by La Fayette and his gallant comrades to the cause of independence. But when he said, with reference to the French Revolution, "My greatest fear has been that the nation would not be sufficiently cool and moderate in making arrangements for the security of that liberty, of which it seems to be fully possessed," he not only displayed his great wisdom and thorough knowl-

edge of the philosophy of history, but expressed, in advance, a fact now amply verified. It requires but little intelligence for the present generation to understand his wise and prudent statesmanship in resisting the efforts of "ill-boding politicians" to link our national fortunes with those of any European country.

Turning his attention, therefore, to the internal condition of the country, he was "sorry" to see that there were existing jealousies between the sections, which, if not allayed, might become dangerous to the Union. Tracing these to "a diversity of interests in the Union," he could readily see that as "common danger" had brought the States together, they could be kept so only by the same "spirit of accommodation" which constituted "the basis of the present Constitution." Consequently he employed all the authority placed in his hands by the Constitution and all the influence of his administration, to remove the existing jealousies between the sections, and to cultivate and strengthen the spirit of concession and compromise which had produced the Constitution and formed the Union. To his clear and comprehensive mind it was apparent that by this alone would it be possible to preserve the new government. And, therefore, he threw the whole weight of his character on the side of the national cause, because of the conviction that its defeat would imperil the Union and thereby extinguish the rays of light created by a constitutional government, and overshadow the future of the country with clouds foreboding a storm.

There is nothing I remember better than the opinions I frequently heard expressed upon these subjects, by the

Revolutionary compatriots of Washington,—men who, without being politicians, had aided in gathering together the materials out of which the National Union was formed. They seemed to me as sacred as was the utterance of the oracle to the ancient Greeks; and as, in my old age, my mind runs back involuntarily to them, I think I see with perfect distinctness, that some of the saddest events that have occurred in my own time have been produced by the neglect of Washington's counsels. I have no conviction more firmly fixed than this, and sometimes, as I have deplored these events, I have almost fancied that I could hear the protests of these Revolutionary veterans against the causes which produced them, and against the reckless partisans who have spurned their admonitions as if they had been the counselors of evil instead of sharers in a work which made the humblest of them of more value to mankind than a crowned king.

History furnishes the means to every intelligent man to review the administration of Washington, and it would go far towards assuring the future progress and prosperity of the nation if this were done by all in whose hands the ballot is placed. But it must be done, if done effectually, in the quiet of home—where the peaceful surroundings intensify the sense of responsibility;—for in the periodical tumult of partisan warfare, when passion dethrones reason, whatsoever does not serve the purpose of the moment is considered idle and unprofitable. There are even some who, having full consciousness of this, intentionally pursue the wrong because it gives assurance of temporary triumph. No matter what claims

to statesmanship such men may set up, or others claim for them, they are simply demagogues, who should be shunned as carefully as the ocean reefs are avoided by the watchful navigator. Washington was not one of this class. He was a statesman and not a mere politician. He built up no party and obeyed the commands of none. All his motives and impulses were patriotic, and he kept his eye steadily upon the welfare of the body of the people, as the polar-star that guided the whole policy of his administration.

The first difficulty he encountered arose out of the necessity of adjusting the relations between the National Government and the States, under the Constitution;—in other words, he was required, by the proper interpretation of that instrument, to keep these relations in harmony, or by a wrongful interpretation to create discord throughout the nation. His cabinet was composed as follows: Thomas Jefferson, Secretary of State; Alexander Hamilton, Secretary of the Treasury; Henry Knox, Secretary of War; and Edmund Randolph, Attorney-General. Jefferson, some years before, had been sent by the Continental Congress as Minister Plenipotentiary to France, which position, at the solicitation of Washington, he resigned. Two of the cabinet—Jefferson and Randolph—were from Virginia. The former, having been in France, had not participated, as a member of the National Convention, in framing the Constitution, and the latter had opposed it originally but voted for and urged its ratification in the Virginia State Convention. Such considerations as these would embarrass an administration in our day. But it neither embarrassed Washington

nor created any discontent in the country; for such was the public confidence in the purity of his motives and in his patriotism, that no suspicion of either was entertained in any section of the Union. There were no parties, and any attempt at that time to form them would have been unavailing, for the reason that as it was the beginning of the experiment of self-government by the people, there was but little, if anything, to excuse their formation. The former jealousy between the large and small States had not died out, but was held in a state of suspension, as was shown by subsequent events. With this jealousy Washington himself had no sympathy; nevertheless, it was impossible even for him, with all his unbounded influence, to extinguish it entirely. The influences it had created under the Confederation were of such a character that the impression left by it could not be eradicated. It ultimately became the basis of a sectional animosity, of which political parties have since frequently availed themselves to the peril of the Union. For this Washington was not, in the least degree, responsible; although there were some so maddened by mistaken zeal as to suppose that his devotion to the interests of the whole Union would ultimately tend to subordinate the small States to the large, and in the end lead to a dangerous consolidation of power in the National Government. And it happened then, as it has happened often since and probably will again, that those who supposed they could see in such agitation the source of their own success, were not slow to employ this imaginary danger as the means of producing sectional discord.

In his first annual message Washington recommended

the creation of a uniform currency—that is, a currency of uniform value throughout the Union—as the necessary means of developing the latent resources of the country. Both domestic and foreign commerce, in his opinion, demanded this. In 1781 the Congress of the Confederation had chartered the Bank of North America, but, although organized under general protection, it had accepted another charter from the State of Pennsylvania, and had, in this way, become a State institution. This led, upon the part of some, to the conception of a policy which should ultimately center exclusively in the States the authority to supply domestic currency, except in so far as Congress was empowered by the Constitution “to coin money, regulate the value thereof, and of foreign coin.” Manifestly, those who incited this idea in the minds of others did not contemplate the organization of a party based upon it; but as the relative rights of the National Union and the States had not been practically defined, their object was to produce a common understanding with reference to them, at the beginning of the government. Whatever their motives, however, the country is not yet rid of the consequences which followed.

During the first Congress under the Constitution, Hamilton—Secretary of the Treasury—was instructed by the House of Representatives to prepare and report a plan for the institution of a national bank. In response, he pointed out what, in his opinion, the advantages of such an institution would be to the government and to the country at large,—to the former, by furnishing greater facilities in conducting its financial affairs, and to the latter, by augmenting the active and productive capital.

To his discriminating mind it seemed necessary to the general commercial prosperity that this augmentation should be procured, inasmuch as, at that time, there were but three banks in the United States,—the Bank of North America in Philadelphia; that of New York, in the city of New York; and that of Massachusetts, in the city of Boston. In the Senate Hamilton's report was referred to a committee of five Senators from the following States: Massachusetts, Pennsylvania, New York, South Carolina, and Connecticut; and upon a report made by this committee a bill was passed by that body chartering the Bank of the United States. Upon being reported to the House of Representatives it there led to an animated debate, during which its constitutionality was denied and an effort made to place limitations upon the meaning of the words "general welfare," as they are employed in the Constitution. The chief of these was, that it would interfere with the powers of the States to charter banks of their own when they deemed them expedient, and to prohibit the circulation of notes of banks thus chartered beyond their borders. And thus there was inaugurated, in the first Congress, a controversy relating to the powers and rights of the National Government upon one side, and those of the States upon the other, which will probably continue, in some form or other, so long as the Federal Union shall stand. The discussion at that time, however, was conducted, upon both sides, by those who desired to see the foundations of the National Government well laid, and so firmly as to provide for a perpetual Union. Nevertheless,—notwithstanding the purity and patriotism of their motives—it led for the first time

to a sectional division, and ultimately, through other agencies, to the formation of sectional parties. The bill passed the House by a vote of *yees* 39 to *nays* 19; but by an analysis it will be seen that the affirmative consisted entirely of those who represented constituencies north of the Potomac river, except two—one from North and one from South Carolina; whereas the entire negative vote represented constituencies south of that river, except two from Maryland.

This is not referred to censoriously, but because the comments upon it by the Revolutionary associates of Washington made lasting impressions upon my mind. To them it seemed impolitic for the government to act upon the hypothesis that the commercial interests of the North and the agricultural interests of the South were antagonistic to each other, whereas it seemed to them indispensable to the prosperity of all that these interests should be blended in harmony, in order to keep alive the spirit of concord which had led to the formation of the Union. Subsequent events have vindicated their wisdom, and it has always been to me the source of abiding consolation that my youthful mind was impressed by such advisers.

The bill having been passed by both Houses of Congress, was submitted to Washington for approval or rejection. This was the first serious question that arose under his administration,—for up till that time the course of public affairs had run smoothly. It is not at all probable that, if it had involved mere matters of expediency, he would have hesitated about its approval,—for the country was then too near the time when monarchy was

discarded, for executive resort to the *veto* power as the means of protecting the people against themselves. But as the question of constitutionality had been discussed by the ablest men in the House, and he did not profess to be a constitutional lawyer, he decided to take the opinions of his cabinet upon the subject. In pursuance of this plan, three separate opinions in writing were laid before him; one by Randolph, Attorney-General; one by Jefferson, Secretary of State; and one by Hamilton, Secretary of the Treasury. By the two first, the constitutional power to pass the bill was denied, whereas, by the latter it was affirmed.

The main ground of disagreement arose out of the difference between express and implied powers. Upon one side, it was contended by Randolph and Jefferson that such limitations had been placed upon the powers of Congress that it could not act beyond the sphere of exclusively national duties, and consequently could derive no power for that purpose by employing mere implication or construction to enlarge its express powers, even with a view to promote the "general welfare," because the power to do that was limited within the same sphere; that a bank was not necessary to the execution of any of the expressly defined national duties,—and that, as all the powers not delegated to the government were reserved to the States and the people, therefore, the charter of one by Congress was an unconstitutional interference with the rights of the States. Upon the other side, it was contended by Hamilton that the express grants of power to Congress carried along with them, necessarily, such implied powers as were essential to the execution of

the express powers,—that these powers were conferred, some expressly and others by necessary implication, in order to promote the “general welfare” or prosperity of the nation,—and that as a national bank would afford material assistance to the government in conducting its financial operations, and to the whole country by supplying a uniform currency, the pending measure was clearly constitutional. Washington accepted this latter view and approved the bill.

But this transaction involves something more than this simple statement. The President submitted to the Secretary of the Treasury the opinions of the Secretary of State and the Attorney-General, to be reviewed by him,—obviously desiring to have all possible light thrown upon the question, as he must have been aware that the effects following his decision would reach far into the future. Hamilton’s dissent from the views of Jefferson and Randolph was clearly and vigorously expressed, but upon carefully reading these several opinions, it is difficult for one not to conclude that those of Jefferson were criticised with some severity. Whether this was intended or not is of no consequence now, inasmuch as, by common consent, a rivalry ensued which was terminated only by death. It gave rise, almost immediately, to the first formation of political parties, which then respectively took the names of Federalists and Republicans, and have continued ever since to influence, in some form, the polity of the government. They were both men of eminent abilities. Hamilton was distinguished both as a soldier and a statesman,—Jefferson in the latter capacity alone. Hamilton was a profound lawyer of extensive

practice,—Jefferson was learned in the theory, but not experienced in the practical application, of the law. Hamilton had aided materially in framing and defending the Constitution,—Jefferson had done neither. However they may be regarded now, it is certain that if Washington had then limited the powers of Congress according to the argument and theory of Jefferson, and had discarded the advice of Hamilton, those measures of domestic policy which in the greatest degree have promoted the prosperity of the country by developing its natural resources, would not have found place upon the statute-book. The States would have deprived the National Government of the most essential powers conferred by the Constitution, and their varied and conflicting legislation would have paralyzed our industry, hampered our energies, and limited our development. Washington saw all this with the eye of a wise and sagacious statesman, and keenly alive to the necessity of guarding all the interests involved, both of the nation at large and of the States, he started the country, by this great act of his administration, upon the highway of prosperity and happiness that it is still pursuing.

These relations between Jefferson and Hamilton gave to Washington great distress of mind, and he endeavored, by all the means in his power, to restore their former kindly relations, not only on account of his personal friendship for both of them, but because, as he expressed it, their continued strife would “inevitably introduce confusions and serious mischiefs” in public affairs. Notwithstanding these efforts, however, he did not escape the vituperation of opposing partisans, whose malevo-

lence towards him was exhibited in a great variety of ways. The supporters of his administration were accused of endeavoring to convert the government into a monarchy; and the public levees given by him, “and the evening parties of Mrs. Washington, were said to be imitations of regal institutions, designed to accustom the American people to the pomp and manners of European courts.” It was charged upon his administration that it wasted the public money in order to increase the national debt,—that its policy was intended to take money out of the pockets of the people, with which to corrupt the national legislation,—that the monetary system adopted by it would produce poverty and distress throughout the country,—that it was endeavoring to get rid of the limitations placed by the Constitution upon the powers of Congress,—and that its policy tended to the absorption of all power by the National Government, to an invasion of the rights of the States, and to “converting the federal into a consolidated government.” And “when,” says one of the most eminent men this country has produced, “it was recollected that the division of opinion was marked by a geographical line, there was reason to fear that the Union would be broken into one or more confederacies.”

I have a distinct remembrance of a pamphlet having been put into my hands when a boy, by a Revolutionary veteran, who desired me to see how Washington was denounced and vilified by his enemies in Virginia. It was entitled “*The Prospect Before Us*,” and was written by an Irishman named Calender, who was hired for the purpose, and supplied with whisky, in order to stimulate his

faculties, from a distillery the ruins of which were pointed out to me. It was the foulest and most mendacious publication I ever read—exceeding, by far, anything to which the readers of the present day are accustomed. I personally knew the survivor of a bloody duel it produced, and all who have studied our history closely will remember the impeachment of Judge Chase of Maryland, which grew out of it.

It does not seem to me, therefore, in any degree wonderful that the companions of Washington, who followed him through the Revolution and revered his name as they did that of no other man, should exhibit their indignation when recounting these assaults upon his administration. To him, more than to any other man, they attributed the independence of the country, and when, in my hearing, they recounted his services and commended his patriotic devotion to the cause of human liberty and his abhorrence of monarchism, it was impossible for me to avoid the impressions then made upon my youthful mind and which have never been erased. They are so indelible that they seem to be actual realities,—an essential part of my personal experience which I would not willingly exchange for other and more modern influences.

JOHN ADAMS



John Adams

CHAPTER II

JOHN ADAMS

AT the close of Washington's administration there were two distinctly formed political parties, among the politicians—the Federal and the Republican. The masses of the people had not then attached themselves to either, but were satisfied that the experiment of eight years under the Constitution had demonstrated the advantages of the new government over the Confederation. The questions of constitutional interpretation concerned them very little, for the reason that they involved abstruse and technical rules with which they were not familiar. Convinced that their condition had been improved, they were, in the main, content with that of the country, and not disposed to depart from the line of policy established by the first administration. The beneficial effects of this they could see and feel.

The meaning of the party names taken by the politicians was, by no means, clear. The republic was the natural outgrowth of the Federal Union, and as the idea of popular self-government was embodied in either name, the general public were disposed to consider the distinction made by the politicians as without a difference. This quiescent state of things, however, did not long continue, for it required but little time after Washington had retired to show that the Republican party of that day

based its claim for public favor, mainly, if not exclusively, upon opposition to the policy he had inaugurated. Nor did it take long to demonstrate that the party divisions were traceable directly to the animosity which had existed between Hamilton and Jefferson while members of Washington's cabinet. Consequently the Presidential election of 1796 practically involved the simple question whether or no the condition of affairs produced by Washington should be continued or abandoned. There were then 16 States, casting 139 electoral votes, and the result was that Adams—who approved of what Washington had done—received 71 electoral votes, and Jefferson—who opposed Washington's policy—received 68; which elected the former President and the latter Vice-President. The readers of our early history are often reminded of the excitement which that party contest occasioned, but the character of it can not be well understood without keeping in mind the fact that Washington's administration was upon trial. The partisan artillery was pointed at Hamilton, who had incurred the enmity of Jefferson, but the old Revolutionary associates of Washington well understood that he, and not Hamilton, was aimed at. No wonder, therefore, that there was excitement; for even now, after nearly a century has elapsed, no American whose heart is in the right place can read the violent attacks then made upon the foremost man in that or any other age, without feeling his blood course with increased velocity through his veins, and without exhibiting indignation by his flushed face. As imagination carries me back to the parental roof under which some of the Revolutionary companions of Washington were

accustomed to assemble, and I remember their indignation as they recounted these events, still fresh in their own minds, nothing seems more natural to me than the party excitement of 1796, when to them it seemed as if their Revolutionary labors were without avail.

In the view taken of this election by the politicians it was the triumph of the Federal over the Republican party. While it was so in its immediate effects, this does not convey a proper idea of its actual meaning; for stripped of its influence upon the fortunes of individuals, it is historically true that it was an expression of the popular desire for the continuance of the policy of Washington's administration. In so far as Adams and Jefferson were personally concerned, neither had any special advantage over the other, on the score of ability or meritorious services to the country. Both had been of the congressional committee from which the Declaration of Independence emanated, and the patriotism of neither exceeded that of the other. And although there were some evidences of rivalry between their respective States—Massachusetts and Virginia—it had not yet assumed a sectional aspect so far as to become actually threatening to the national unity—the necessity for which was universally recognized. My Revolutionary instructors did not object to being called Federalists, but preferred to be known as Washingtonians, for the reason that they were thereby designated as the defenders of Washington's measures of policy. Their purpose was to promote, as far as they could, the "general welfare," and this they believed could be assured only by affirmative measures of the National Government, operating alike,

and equally upon all the sections. They had witnessed the defects of the Confederation, as a mere league between independent States with separate and distinct interests, and needed nothing but their own experience and observation to teach them that if the Constitutional Government remained inactive, with merely negative and not affirmative powers, the constitutional system would waste away and the nation itself become too imbecile for self-preservation. They did not reproach Jefferson unkindly, for they were proud of him as a Virginian, but they placed Washington before and above him and all other living men. They admired the one—they venerated the other.

Adams and Jefferson both participated in framing the Declaration of Independence. The committee of five appointed by Congress referred the matter to them as a sub-committee, with authority to prepare it. Upon coming together each suggested that it should be done by the other, but Adams was so urgent that Jefferson should do it, that the latter finally agreed. He assigned two principal reasons for this preference: the first was that the Declaration ought to be drawn up by a Virginian, and the second, that he had, as he expressed it, "a great opinion of the elegance" of Jefferson's pen. The result is known to all:—the original draft as reported by the committee was amended in several important particulars before it was finally agreed to, and when signed became, and yet remains, our National *Magna Charta*. The relation each of them bore to this great state paper entitles them, if they had done nothing more, to be classed among the illustrious builders of the Nation. Therefore, whatever differences may have separated them

in the great political contest of 1796, the American people must have been assured that the experiment of self-government upon which they had entered would not be imperiled by the election of either. The pending questions involved domestic policy alone,—the best method of so laying the foundations of the government as to secure its future greatness—and it ought not to surprise any that at that period—so soon after the Constitution had been adopted—the people were content that the policy of Washington's administration should be continued. He had given so many evidences of his wisdom, both in peace and war, that the opponents of Adams were not prepared to risk their reputation by assailing it. Jefferson and Adams—whatever their respective supporters were to each other—were friends; they had been so long associated in the common cause of the country they could not be otherwise. Jefferson, therefore, spoke from his heart when, upon taking the chair as presiding officer of the Senate after Adams's election to the Presidency, he said that the chief magistracy had been “justly confided to the eminent character who preceded him, whose talents and integrity have been known and revered by me through a long term of years; have been the foundation of a cordial and uninterrupted friendship between us; and I devoutly pray that he may be long preserved for the government, the happiness, and prosperity of the country.”

Adams did not propose to disturb any of the administrative measures put in operation by Washington. He spoke of them, in his inaugural address, as having been established “under the administration of a citizen, who,

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by a long course of great actions, regulated by prudence, justice, temperance, and fortitude, conducting a people inspired with the same virtues and animated with the same ardent patriotism and love of liberty, to independence and peace, to increasing wealth and unexampled prosperity, has merited the gratitude of his fellow-citizens, commanded the highest praises of foreign nations, and secured immortal glory with posterity. * * * *

His name may still be a rampart, and the knowledge that he lives, a bulwark against all open or secret enemies of his country's peace. His example has been recommended to the imitation of his successors by both houses of Congress, and by the voice of the legislatures and the people throughout the nation."

There were very few of the contemporaries of Adams who had discharged more important public duties than he, before his election to the Presidency. As early as 1770, while a member of the Colonial Legislature of Massachusetts, he incurred the enmity of the royal governor of that colony, because of his manly and patriotic protests against British oppression. In 1774 he was elected to the Colonial Council, but the royal authority interposed and refused him permission to serve, on account of his devotion to liberty. He then became a member of the Continental Congress, and served in that capacity with great distinction until the Declaration of Independence. In 1777 he was appointed by Congress minister to France, where he remained until 1779, when he was superseded by Benjamin Franklin. In 1779, he was sent to Great Britain by Congress to negotiate a treaty of peace. He was sent also to Holland, where,

besides negotiating a large loan for the benefit of the Confederation, he obtained from the government of that country the first recognition of the United States as free and independent. Along with Franklin and Jay he negotiated the definitive treaty of peace in 1783. In 1785, he was appointed by Congress minister to Great Britain. While there he negotiated a favorable treaty with Prussia, and in 1788 returned to the United States. The Constitution of the United States was formed and adopted and the Union created, while he was serving the country abroad. But for this undoubtedly he would have been a member of the National Convention, where his wisdom and fervid patriotism would have been most valuable and influential. As it was, he advocated and defended the Constitution with such earnestness and zeal that he was elected Vice-President, when Washington was elected President in 1789, over ten other distinguished men, who received votes for that office. He served in this office during the eight years of Washington's administration—having been re-elected in 1792, over Jefferson, George Clinton, and Aaron Burr. A public life of such varied and responsible duties could not have continued so long if there had been the least suspicion of his patriotism, nor without the exhibition of the very highest qualities of statesmanship. No people ever lived more competent to take the true measure of patriotism than those who followed Washington through the flames of the Revolution, and rallied again under the banner he unfurled in peace, when striving to build the government upon sure and firm foundations.

Pursuant to the purpose of Adams not to unsettle the

policy of Washington's administration, in so far as internal and domestic measures were concerned, he continued in office the same cabinet officers—the only instance of the kind in our history, and one which furnishes such an example of unity between the sections as was calculated to rebuke the spirit of discord which some restless politicians had invoked, an example which if followed would have spared the nation many bleeding wounds. Thus relieved from the possibility of internal disturbance the future development and progress of the country was well assured, and the administration was left to deal mainly with our foreign relations. No man was more familiar with these than Adams, and he conducted them with the greatest circumspection. It is but simple justice to his memory to say that all he did in that direction was done with the design to complete the work which Washington had begun—that is, of avoiding any “entangling alliances” with foreign governments, and making the United States not only absolutely independent but one of the most influential powers in the world.

Our relations with France were in a disturbed condition. There had grown up in the United States a sentiment of sympathy for the French people, arising out of their supposed desire to convert the monarchy into a republic, and to enter, as the people of the United States had done, upon the experiment of self-government. This sentiment had reached the point of opposition to Washington's administration, and he had been constrained to rebuke it by demanding the recall of Genet, the French minister, because of his persistent effort to stir up disaf-

fection towards the government among the people of this country. Washington's influence was sufficient to quiet, in some measure, the agitation thus produced, but not having been entirely suppressed it broke out again under Adams, and resulted in the formation of a party in opposition to his administration,—that is, it was an effort to rekindle the hostility to Washington's administration and to produce such a party organization as would assure success against that of Adams,—the ground of that assurance being the difference in the popularity and influence of the two men. Existing circumstances favored this movement.

The American minister had been driven out of France by the authority of the government, and, as if this were not a sufficient insult to the United States, several Directory decrees were promulgated by which French cruisers were authorized to commit depredations upon our commerce. To have submitted to all this would have placed the United States in a most humiliating attitude. This view was taken of it by Adams, who deemed it proper to convene Congress in extra session and submit the matter to the people, through their constitutional representatives. He accordingly issued a proclamation to that effect, and Congress assembled May 15, 1797. In his special message Adams very clearly stated the relations between the United States and France, showing that diplomatic intercourse between the two nations was entirely suspended by the expulsion of our minister, and recommending the adoption of suitable measures for the protection of our commerce,—the chief of which he considered to be the creation of a "naval establishment," which,

“next to the militia,” he considered “the natural defense of the United States.” He did not, in direct terms, recommend a declaration of war against France, but submitted a full statement of all the facts to Congress, upon whom, by the Constitution, the responsibility of such a declaration rested. He made no effort, however, to conceal his desire that Congress should adopt such measures as were necessary for the defense of our commerce and for protection against the aggressions of France or any other foreign power.

At this extra session of Congress the sentiment in favor of France was carried so far that Adams's effort to vindicate the honor and interests of the United States was resisted by a combination of politicians in Congress, who made strenuous exertions to defeat every administration measure designed for that purpose. A war with France could not be tolerated, although necessary to avenge a national insult! These efforts, however, were ineffectual, and Congress responded to the recommendations of Adams, by passing the necessary laws to enable him to vindicate our national rights and maintain our national honor. Nevertheless, there was such an exhibition of party feeling that the supporters of the administration were designated the British party, while, by way of retaliation, its opponents were called the French party. These terms were mere party catch-words, but had this significance:—that as there was still left in the country some of the old resentment against Great Britain which dated back to the Revolution, and a sentiment of gratitude to France for her assistance in achieving our independence, the administration lost ground and its opponents made a

corresponding gain. Practically it was a gain of the Republican over the Federal party.

Apart from this, the controversy assumed a somewhat sectional aspect, for the first time in congressional legislation. This was not open and undisguised, but rather by concealment of the real design. To have been the former would have been such an approval of the insulting conduct of France as would have aroused public indignation. Therefore, the contest assumed such a shape that the principal supporters of the administration were from the North, under the leadership of Massachusetts statesmen; while its opponents were mainly from the South, under the leadership of Virginia statesmen. It was not possible, however, to carry it far before the two parties took distinctive forms, one being known as the Adams or Federal, and the other as the Jefferson or Republican party.

These things are plainly shown by the published proceedings of the first session of the Fifth Congress. But the student of our political history who should undertake to discover which of these parties was the most censurable, or whether either of them was censurable at all, would likely find himself lost in a labyrinth of most perplexing difficulties;—for so many partial and prejudiced pens have been employed in defense and censure of both, that much of what he ought to find clear and distinct has been made obscure. There are very few, however, who do not know that the party contest thus inaugurated led, at the next Presidential election, to the success of Jefferson and to Adams's defeat.

The credit of having originated the measures which led

to building up the United States Navy—in the face of formidable opposition—can not properly be withheld from Adams. In his message to the extra session in 1797, he called the attention of Congress to the necessity of providing, not only for the defense of our coast, but for the protection of our commerce upon the ocean. To provide for this several bills were passed having reference to the national defense, a naval armament, and a naval establishment—thus creating the nucleus of our present navy. Among the grounds of opposition to this and other defensive measures, it was said that they would be offensive to France and invite war with that power, inasmuch as it would be viewed as preparation for war upon our part. Congress, however, preferred to follow the advice of Washington,—to prepare in peace for the possible exigency of war and avoid entangling alliances with foreign nations,—and the opposition to these measures was silenced by a decisive majority. And thus was laid, by the advice, and under the administration of Adams, the foundation of the system of measures which now, by common consent, constitute a shield of protection to our enormous commerce, and security against foreign aggression. No imagination is fertile enough to conceive the degree of humiliation into which the nation might have been precipitated, if the Republican opposition to Adams, in the Fifth Congress, had triumphed. Party spirit is inseparable from popular government, and when held in proper restraint by prudence and moderation, serves a valuable use in purifying the public service. But when carried to such excess as it was during the administration of Adams, it is invariably followed by conse-

quences injurious to the public. It unsettles the public policy, disturbs the peace of society, and so arouses the passions of party contestants as to incite them to cast their ballots without due regard to the general welfare. If he who does not already know should seek to learn from history why Adams, when steadfastly following in the footsteps of Washington, was warred upon with a degree of malevolence until then unknown in the country, he would find himself confronted by the main and central fact that there were then sown the seeds of sectional strife, which have since sprouted and grown,—bearing noxious and poisonous fruits.

As the party conflict waxed warmer, there were more palpable exhibitions of sympathy for the French people, upon the part of those opposed to Adams's administration. The charge that he and his supporters were influenced by attachment to Great Britain in preference to France, was reiterated with violence. His professed desire for neutrality and his repeated protestations to that effect were treated with disdain. But he steadily pursued the policy marked out by Washington, yet deferred to the opinions designed to counteract it so far as to send to France a new embassy instructed to restore, if possible, friendly relations between that country and the United States. France was then governed by a Directory of five members, appointed by the Council of Five Hundred, which itself was a necessary outgrowth of the Revolution. The Directory had no settled policy, but acted impulsively according as the exigencies of each day, and almost each hour, demanded. Dread of Great Britain, upon one side, and of Napoleon, upon the other,

kept this irresponsible and irresolute body in constant commotion, which was imparted by them to the citizen soldiery who constituted the only protectors of France. Adams, at the National Capital, and Washington, at Mount Vernon, both sympathized with the struggling masses in France, but their anxiety for the permanent happiness and welfare of the American people outweighed this sentiment. The former adhered strictly to the policy of the latter's administration, in the determination to observe strict neutrality as between Great Britain and France, so that a new nation might be built up in this country sufficiently powerful to protect itself, and sufficiently promotive of the happiness and welfare of mankind as to influence other nations by its example.

The new embassy sent by Adams to France was composed of three eminent citizens of the United States, who hastened to that country to execute their peaceful and friendly mission without delay. When they reached Paris it took them but little time to discover that they were unwelcome visitors. Instead of being received as ministers from the United States should have been by a friendly power, they were not officially recognized by the Directory. Private citizens of France were appointed to spy out their conduct and to insidiously extort from them their opinions. Anonymous communications were addressed to them, and various other offensive methods were adopted to annoy them. They made every exertion in their power to bring themselves in direct communication with the Directory, and having become satisfied of the impossibility of this, returned to the United States. This necessarily produced an important crisis. The con-

duct of the Directory did not necessarily mean war with the United States, but it admonished the latter of the necessity of preparing for that contingency, in view of the further facts that the French navy was then committing depredations upon our commerce, and that the Directory had issued decrees authorizing the seizure on the high seas of American vessels sailing from British ports, or having British goods on board. Congress, consequently, resorted to retaliatory measures, by directing that commercial intercourse with France should be suspended,—authorizing American merchant-vessels to carry arms for self-defense,—and empowering the President to raise and organize an army, consisting of twelve regiments of infantry, one regiment of cavalry, one of artillery, and one of engineers. Under these circumstances all eyes were turned to Mount Vernon, where the great chief of the Revolutionary army was in retirement, after the eight years of laborious administrative duties. Adams, however, needed no indications of popular attachment for Washington to call his attention to him as the only suitable commander-in-chief of the American army in a war with France or any other foreign power. He, accordingly, tendered that position to Washington, who approved the policy of the administration towards France, and would, doubtless, have acted in that capacity if war had actually broken out. It did not break out, however, for the active preparations in this country, by recruiting and otherwise, convinced France of two things: first, that the United States could not be bullied with impunity by any European power; and, second, that however much the French sympathizers here might embarrass the

administration by placing impediments in its way, they cowered before the patriotic enthusiasm of the people in every section of the United States. France had no difficulty in seeing that the United States was actively preparing for war, and in a little while would be ready for it, either upon sea or land. The old frigate *Constitution* captured one French frigate and silenced the batteries of another. The army was supplied with the necessary officers, and nothing contributed more to enthuse the people than the fact that these, with Washington at their head, were likely to be taken from among the veterans of the Revolution, who had rebuked the insolence of one of the great European powers and held themselves in readiness to rebuke that of another. France was soon brought to realize that the American blood was stirred as it had not been since the Revolutionary period, and then there was no difficulty in negotiating the treaty of September 30, 1800, whereby the two nations bound themselves to perpetual peace. Napoleon had, by that time, become First Consul, and the shadowy republic—which was at best only so in name—was vanishing away so rapidly that, in a short time, the “Little Corporal” assumed the mastership of France.

The events at home which grew out of these relations with France, taught to the people of the United States a lesson which it would have been well if they had never forgotten. Neither country desired war with the other. The United States had entered upon a peaceful policy; and although the French people had been trained to arms and were among the best soldiers of Europe, the bayonets of neighboring peoples, equally brave, were bristling

upon the borders of France, ready to invade her territory whenever her troops were transported across the ocean. But the French politicians in France and the French sympathizers in the United States, seemed to understand each other sufficiently well to incite in the minds of both the common desire to overthrow the administration of Adams, with the view of inaugurating a new American policy in opposition to that of Washington, through which, in the course of time, the United States should become the ally of France in the prosecution of her European wars, whether for defense or conquest. They failed in this, however, during the lifetime of Washington, who threw his powerful influence upon the side of Adams's administration, and even went so far as to leave his retreat at Mount Vernon and make his last visit to the national capital, only the year before his death, to advise with Adams and aid in the organization of the army so as to put the country in preparation for war with France. His support of Adams's policy with reference to France tended materially to unify public sentiment throughout the country, and, doubtless, contributed towards breaking the alliance between the American and French politicians and bringing about the treaty of peace between the two countries.

As a consequence of these strained relations between the United States and France, Congress responded promptly to the recommendations of Adams to put the country in readiness for war, in the event of its becoming unavoidable. The organization of the army was provided for, and the navy was increased by authorizing twelve

ships-of-war to be built, six of seventy-four, and six of eighteen guns each. The President was authorized to adopt measures of retaliation, and was required to suspend commercial intercourse with France. These measures demonstrated how necessary it is to every nation to prepare for war in time of peace, for they were followed by overtures of peace from France, in the form of notice to Adams that envoys from the United States would be received by the authorities of that country

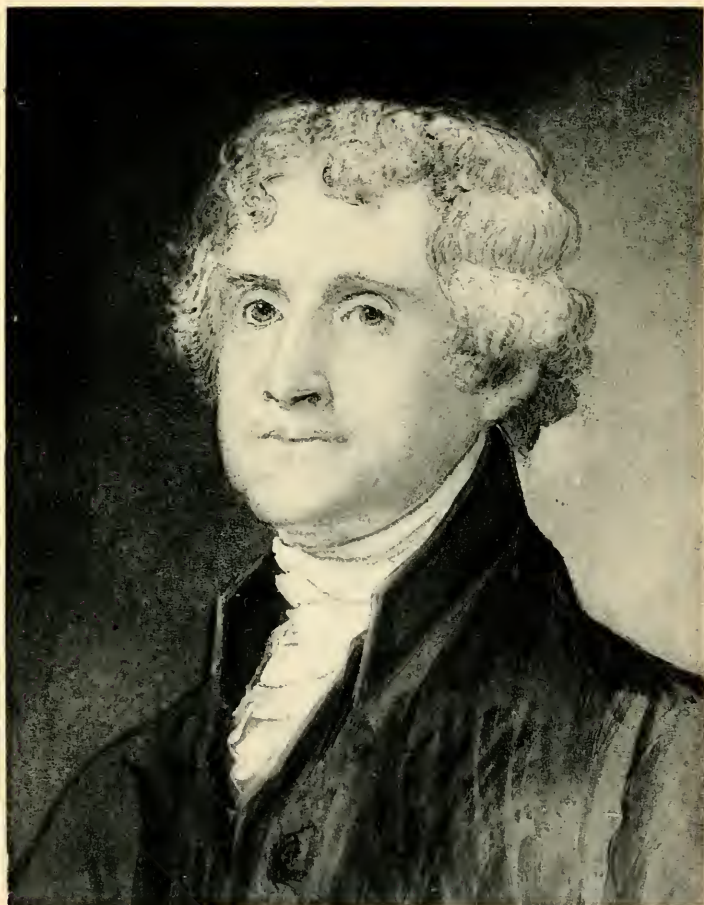
Besides the measures necessary for defense, Congress passed two laws which were supposed to be necessary to protect the United States against foreign influence. These were known as the Alien and Sedition laws, and were regarded by Congress as necessary to counteract the active influence of the large number of French and other foreigners, who were not naturalized, but availed themselves of the freedom allowed by our institutions to assail openly the measures of the government, attack the administration, and vilify the President and his cabinet. These laws did more than the policy of the administration towards France to shape the future politics of the country. Although they were intended to be applied mainly to foreigners, such appeals were made in behalf of the freedom of opinion, of speech, and of the press, that the whole country was thrown into commotion and confusion, and the party in opposition to the administration was greatly strengthened. It is fair to say that, by these means, the administration of Adams was brought to an end March 4, 1801, twelve years after the inauguration of Washington.

Of Adams it may be most truthfully said that not one

among the most illustrious statesmen of this country was more devoted to the cause of the American Colonies, or displayed more zeal or ability in their defense. In all the varied scenes through which he passed, his patriotism never faltered and was never called in question. During the four years of his administration he endeavored to carry out the measures and policy of Washington, and now that nearly a century has passed since his retirement, and sixty-six years since his death on the same day as Jefferson—the birthday of the nation—the student of American history will find many of its pages illustrated by the record of his patriotic virtues. He defended the nation—its rights and its honor—with unfaltering fidelity. He took the administration of affairs, by popular approval, from the hands of him whose name we still teach our children to lisp with veneration, and strove hard, in imitation of his example, to hold the government firmly in the paths his wisdom and patriotism had marked out. And although our national centennial has passed and the nation stretches from ocean to ocean, with an unbroken cordon of united States between them, we can not rightfully forget that Washington and Adams were in harmonious accord, and that our obligation to hold them in remembrance is, in no sense, lessened by the lapse of time.

THOMAS JEFFERSON





J. Jefferson

CHAPTER III

THOMAS JEFFERSON

IN the spring of 1825, I visited Charlottesville, Albemarle county, Virginia,—where the State University is located—and then had an opportunity to observe Jefferson somewhat closely, but for a much shorter time than I desired. He had come to town from Monticello—which is near by—in a light covered carriage, drawn by two horses and driven by an old negro man. The object of his visit seemed to be the purchase of goods, as I found him in a store thus engaged. I was scarcely old enough to form intelligent conclusions regarding him from observation so casual—especially as he was engaged in such common-place business as purchasing domestic supplies,—yet to a youth like me it appeared something more than a mere privilege that I should be permitted to look upon the author of the Declaration of Independence, who was one of the foremost men in the country and who had reflected honor upon his and my own native State, as well as upon the nation. I scrutinized him so closely that the scene was photographed upon my mind, and memory, every now and then, has summoned him again before me.

He was then two years younger than I am as I now write, but bore the marks of decrepitude—the wearing away of the vigorous energies of manhood. Notwithstanding the thoughts that crowded my youthful mind, I

could not avoid observing the plainness and almost simple rusticity of his dress. His clothing was evidently home-made—probably woven upon a domestic loom—and there was nothing about either its cut or make up to indicate that it had passed through the hands of a fashionable tailor. In fact he belonged to that class of men who, disregarding the frivolities of society, devote their best faculties to other and greater objects. His shoulders were considerably stooped. He did not remove his hat, and I could observe only the face below it. I obtained a position, however, which enabled me to see his eyes with tolerable distinctness; and while they had undoubtedly lost somewhat of their brilliancy, they were still clear, penetrating, and bright. His voice was feeble and slightly tremulous, but not sufficiently so to leave the impression that it was not susceptible of distinct and clear enunciation when there was occasion for it. It appeared to me that he was careful in selecting his purchases, but he did not higggle about the prices. The merchant with whom he dealt exhibited the most marked deference to him, and when his purchases closed, took him by the arm and conducted him to his carriage, which he slowly entered with his assistance and that of the driver. The carriage then drove in the direction of Monticello, and I gazed at it until out of sight, with mingled emotions of pleasure and regret—pleasure at being permitted to see a venerable statesman of such high distinction, and regret at the fear that I should never see him again.

I have no difficulty in reviving the reflections which then passed through my mind. There had stood before me, in full view, one who had been a conspicuous defender

of human liberty,—liberty of thought, of speech, and of the press,—without which popular government is impossible. He had written with his own hand our national *Magna Charta*, every word of which is priceless and every letter golden. He had devoted his best energies to the maintenance of its principles. Although not a word passed between us, my youthful admiration was unbounded. He represented a period which, although passed, I had been instructed to look upon as the brightest and best in the world's history. The scene, consequently, left such indelible impressions upon me, that I still remember, when he and John Adams passed away from earth almost at the same hour, upon the 4th of July of the next year, how my heart was sorrowed at the event, but was, nevertheless, gladdened by the conviction that it was providentially designed to teach the nation that its freedom, which they had united in achieving, was precious in the sight of Heaven.

Few things have occurred, within the course of our history, which have produced such far-reaching and permanent consequences as the disagreement—more appropriately called the quarrel—between Jefferson and Hamilton. It is superfluous to say that, upon the score of ability, each was fitted to become a leader of men. When they met in the cabinet of Washington, everything combined to forbid animosity between them. They had not gone far, however, before it became apparent that there were fundamental differences between them with regard to the powers the Constitution had conferred upon the government. These seem not to have been borne patiently, but, in a comparatively short time, ripened into

positive antagonism, which soon became irreconcilable. What followed is universally known,—each became the head and leader of a party, and imparted to his followers somewhat of his own feelings. These sank so deeply in their minds that they have not all been plucked out yet, for even now their names are bruited about by partisans who round off eloquent periods by undue eulogium upon the one, and undue vituperation of the other. As in other matters, the truth lies between these extremes.

Besides being the author of the Declaration of Independence, Jefferson was immediately identified with the cause of religious toleration in Virginia, and had faithfully served the Confederation as minister in France, when that nation was thrown into the travail of revolution occasioned by the effort to imitate the American example by breaking the fetters of monarchism. His principles, imbibed during our Revolution, were so instilled into his mind as to have become part of his nature. They were founded upon those he had embodied in that immortal instrument which boldly announced to the world as a “self-evident” truth that “all men are created equal.” As a logical sequence he had given his sympathies to the struggling people of France, and when he returned home to aid in the administration of the government, he did so with the resolution to popularize our institutions, as far as it could be done consistently with the checks and balances of the Constitution. And thus his mind was naturally and inevitably led to the adoption of such rules for the interpretation of that instrument as contributed, in the largest degree, to produce that result. His naturally vigorous intellect was enlightened by habits of phil-

osophic thought, and having learned from the histories of former republics the causes of their decay, he became convinced that, in all matters concerning the interest and welfare of the people, they were themselves safer depositories of power than kings and princes.

Hamilton had served the country well and conspicuously. He had borne an active and patriotic part in the struggle for independence,—had served in the National Convention which framed the Constitution,—and had contributed largely to the letters of the *Federalist* in defense of the Union. His mind was carefully disciplined by habits of thought which developed its highest faculties. He was thoroughly familiar with the history of nations, and the principles of the English Constitution and Common Law. His methods of reasoning were such that his thoughts were expressed with vigor and clearness. But it is undoubtedly true that, previous to the formation of the Union, he had entertained some fears for the stability of institutions dependent upon popular opinion; as it is equally true that Jefferson at least hesitated about supporting the Constitution, if he did not, in point of *fact, oppose it*. Those of us who now stand in the presence of accomplished facts can not suppress surprise at either of these opinions. But, in view of the history of former republics, it is not wonderful that the stability of popular governments should have been questioned; or that the adaptability of the Constitution to the purposes designed should have been doubted, up till the formation of the Union by its actual adoption. He who shall study the history of the National Convention thoroughly, will find that, among the plans of

government submitted, there was not one that did not propose such restrictions upon the powers of the people as were suggested by doubts of their capacity for self-government; and that the Constitution, as finally agreed to, was *alone* the result of mutual concessions and compromises. When this result was reached matters assumed other aspects,—the main question being whether a new government should be established by the creation of a National Union capable of promoting the general welfare, or the country fall back upon the old Confederation, well known to be powerless for that purpose. After the Constitution was adopted and the question of its ratification was pending, Hamilton employed his best energies in its defense, while Jefferson was *either opposing* it or taking no part in its support,—and it does not detract from other eminent men who did the same to say that none exhibited more earnestness or ability than he did. Whatsoever Hamilton may have thought while the proposition to form a new government was pending, does not seem to have influenced him after the National Convention had completed its work. In a conversation with Jefferson—as recorded by the latter—he said that whatever may have been his former doubts, now that the experiment was undertaken he was “for giving it a fair course,” because, in his opinion, “that mind must be really depraved, which would not prefer the equality of political rights, which is the foundation of pure republicanism, if it can be obtained consistently with order.”

It was a public calamity that hostility should have existed between these distinguished men, while they served together in Washington’s cabinet. At that time—more

than at any other since—there was a positive necessity for unity in the administration, because it was engaged in laying the foundations of a new and untried government. A single mistake might have produced incalculable mischief. Why this hostility should have appeared at such a time, suggests an inquiry to which there is no satisfactory answer. Even its nature and precise object are unknown, except in so far as they were occasioned by mere difference of opinion in regard to the rules of constitutional interpretation, and the relative rights of the National Government and the governments of the States. Differences upon questions of this nature ought not to create ill-feeling any more than if they involved merely the distance between the earth and the sun. But in this instance they did, and produced consequences which have extended to the present time.

Whatever may have been Hamilton's feelings toward Jefferson, he does not seem to have left behind him anything to show that they were of a malevolent nature. His works, published by his son, show nothing of this kind, although he was undoubtedly a man of strong resentments. Among Jefferson's letters, one from him to Washington appears, wherein the former makes a somewhat detailed statement of the causes of disagreement between Hamilton and himself. But an examination of the *Anas*, published with Jefferson's correspondence by his grandson, will explain why he considered Hamilton a monarchist. Besides his deductions from Hamilton's line of argument in interpreting the Constitution, he preserves, in the *Anas*, conversations had with Hamilton by others and reported to him. It may gratify the curious

to read all these papers, but they leave the mind still in doubt with regard to the real source of the controversy, otherwise than has been stated. It is sufficient for us now to know that it was injurious to the country from the beginning,—so much so that a revival of the discussion would be likely to do more harm than good. Both were eminently great men, and on account of the services they rendered and their high qualities, deserve to be held in perpetual veneration.

It is proper, however, to note what Jefferson has himself left concerning his charge that Hamilton desired to convert the government into a monarchy. He made several attempts to convince Washington of its truth, but in all these signally failed. This circumstance outweighs any suspicions or opinions of an adversary, for the reason that Washington had every possible opportunity of testing the devotion of Hamilton to the government, and was as competent to do so as any man living. Besides, it was his duty to learn whether or no there was a monarchist in his cabinet, and there is nothing more certain than, if he had found Hamilton to be one, he would have removed him at once. In the *Anas* there is reported, by Jefferson himself, a conversation between him and Washington, in 1792, wherein the latter said “he did not believe there were designs to change the form of government into a monarchy,” and that he considered the accusations to that effect “in Freeman’s paper” were made with the view of “exciting opposition to the government,” and “as attacking him directly, for he must be a fool indeed to swallow the little sugar plums here and there thrown out to him.”

Upon another occasion at Mount Vernon, when Jefferson made to Washington the positive and direct charge that Hamilton was a monarchist, Washington replied: "That as to the idea of transforming this government into a monarchy, he did not believe there were *ten men in the United States whose opinions were worth attention* who entertained such a thought." It is not probable that Washington was very greatly misled upon a subject of so much importance, and if he were not, Jefferson must have suffered his dislike of Hamilton to warp his judgment regarding his sentiments. At all events, it is not difficult to discover that, instead of cultivating a spirit of forbearance and mutuality in aid of the administration, their disagreements ripened into a positive breach which Washington was unable to heal. The result was that a little more than a year after this conversation, Jefferson resigned the office of Secretary of State, and retired from the cabinet. Washington regretted this deeply, but there is no reason for believing that the estimate in which he held Jefferson was in any degree lessened. There is much ground for believing, however, that, from that time, the feeling of Jefferson towards Washington underwent a material change,—so much so as to enable others to avail themselves of it in forming a party in opposition to the administration. As late as 1818, Jefferson wrote an "explanation" of many of the events alluded to in the *Anas*, manifestly expecting it to be published, along with his correspondence, after his death, and it was so published. In it he said: "From the moment where they end"—that is the proofs he had submitted—"of my retiring from the administration, the Federalists got un-

checked hold of General Washington. His memory was already sensibly impaired by age, the firm tone of mind for which he had been remarkable was beginning to relax, its energy was abated, a listlessness of labor, a desire for tranquillity had crept on him, and a willingness to let others act, and even think for him." And, alluding to some letters Washington had written, he closed his "explanation" with these words: "Over which, in devotion to his imperishable fame, we must forever weep as monuments of mental decay."

These words were written eighteen years after the death of Washington, thirteen after that of Hamilton, and nine after Jefferson himself had retired from the Presidency. His fame was full and complete, and could not be added to by lessening that of Washington. They would, therefore, better never have been written. But having been, all that now need be said of them is that, in spite of them there is no sentiment more universal among the American people than that of affection and veneration for Washington. Nor is there any belief more fixed in the American mind than that he was not suffering from "mental decay" during his administration. To say of him that he allowed others both to think and act for him is to present him in the character of a weakling, whereas, if history attests anything, it makes clear the fact that till the last hour of his administration, all his faculties continued as clear and vigorous as they had been at its beginning. I repeat, therefore, that, in my opinion, these words would better never have been written. For whatever purpose intended, they have served only the interest of party,—having done Washing-

ton no harm and Jefferson no good. When the *Anas* first appeared there were yet remaining in the vicinity of my birthplace a few of the old men who had shared with Washington the perils and hardships of the Revolution and who regarded him with the deepest veneration. I well remember their indignation when they repeated these censorious reflections upon him whom they almost idolized, and with what strong and emphatic words they expressed themselves. What they said impressed me with the conviction that Jefferson had made a serious mistake by invading the sanctuary of confidential intercourse, to furnish excuses for those who had become the embittered, if not the malevolent, adversaries of Washington. This impression remains, notwithstanding my unwillingness to lessen his claims to grateful remembrance. Few men are invariably right, and even when the best are subjected to the crucial test of close inspection, there are apt to be found some spots and blemishes mingled with a cluster of virtues.

When Jefferson resigned the office of Secretary of State, at the close of the year 1793, he probably expected to remain in retirement at his beautiful mountain home, for which his thoughtful and philosophical mind peculiarly fitted him. He did not then make any public avowal of his want of confidence in Washington, or express the belief that he was surrounded by influences adverse to the public welfare which he was unable to resist. It is quite certain, however, that his action was mainly, if not entirely, on account of the relations between Hamilton and himself, which had then reached the point of open enmity. Besides this it is shown by his

letters that he was not satisfied with Washington's demand for the recall of Genet, the French minister, because of the persistent efforts of the latter to stir up disaffection towards the government among the people. It is also learned from the same source that he must have decided to employ some portion of his leisure in endeavoring to mold and fashion the political sentiments of the people, with the ultimate view of creating a party of opposition to the opinions of Hamilton, notwithstanding the organization of such a party would involve also opposition to Washington's administration. He had been in retirement less than two months when he wrote a letter to Edmund Randolph, in which he said: "I indulge myself on one political topic only, that is, in declaring to my countrymen the shameless corruption of a portion of the Representatives in the first and second Congresses, and their implicit devotion to the treasury;"—which, manifestly, was an insinuation of corruption against Hamilton, who was then Washington's Secretary of the Treasury. This is confirmed by the fact that about four weeks afterwards he wrote another letter to James Madison, in which he referred to Hamilton by name and censured him for having furnished the materials of a speech made in the House of Representatives,—basing his belief upon the fact that he had heard Hamilton express the same sentiments in "various private, though official discussions," which must have occurred while they were both members of Washington's administration. And in another letter to Madison, during the same year, he severely arraigned "the Society of the Cincinnati"—of which Washington

was a member—charging that its members were “dazzled by the glittering of crowns and coronets.”

Whether or no he was then “dazzled by the glittering” of Presidential honors is now of no consequence; for if he were, his ambition was both honorable and patriotic, and no man in the country had a higher or better right to entertain it. However this may have been, he made no open opposition to the administration of Washington, but did so to that of John Adams, his immediate successor. The general policy of these two administrations was the same, but there were some measures introduced during the latter to which Jefferson was intensely opposed. These were the Alien and Sedition laws, which, as he believed, were not only flagrant violations of the Constitution, but a direct infraction upon some of the cardinal principles of the government—such as were inseparable from popular institutions. That he carried this opposition to a dangerous extent, nearly a hundred years of our national experience have attested. He who shall now investigate the history of that period with impartiality should not forget that such are the frailties of our nature, that the wisest and most patriotic men, when the responsibilities of official position are not resting upon them, are liable, at moments of intense excitement, to be betrayed into errors the magnitude of which they do not, at the time, perceive, and which they would be the first to retract and repudiate when assured that they foreboded peril to the country. Great and deservedly influential as he was, Jefferson was human like the rest of us—subject to the same feelings, emotions, desires, and passions. He had contributed but little, if anything, to the creation

of the Union under the Constitution, but a great deal to establishing and maintaining the independence and sovereignty of the States under the Confederation; and hence looked with suspicion upon what he feared might strengthen the former and weaken the latter.

The Alien and Sedition laws were practically harmless, and both expired by limitation,—being designed only as a temporary expedient. They were passed in 1798, and immediately acted like a spark thrown into a magazine of powder, producing an explosion. The former did not go to the extent of prohibiting the immigration of aliens—as our present law prohibits the immigration of Chinese and discriminates against them after their arrival here—but provided that when they became, in the opinion of the President, dangerous to the peace and safety of the United States, he should cause them to be removed out of the country. Even in this last respect, the principles of our Chinese law are borrowed from it, and stretch out its provisions so far that these aliens are excluded in the first place, and expelled in the next, not for any interference with our institutions but because of controversies about the wages of labor.

The Sedition law prohibited combinations and conspiracies to oppose the government; or to impede the operation of any law,—or to prevent any officer from discharging his duties. It went further, however, and made it criminal to utter or publish any false, scandalous, and malicious writing against the President, or other officer of the government, or against Congress, with intent to defame them,—or to stir up sedition,—or to excite unlawful combinations to defeat any law,—or to aid in any

hostile designs against the United States upon the part of other governments. Some of these provisions were wholesome then and are still found in our American statutes. But it is undoubtedly true that it transcended the limits of congressional power, when it placed restrictions upon the liberty of speech and the press, by which the citizen was deprived of his right to criticise the administration of the government and the conduct of public officers. It was this that excited the ire and aroused the indignation of Jefferson, who had no sentiment, or feeling, or impulse, prejudicial to the fullest liberty of the people. His object was to get rid of these odious provisions with as little delay as possible, and not believing that those who had enacted them would be likely to change their course, he persuaded himself that the only remedy against them was by an appeal to the States. The Union had not then been in existence long enough to demonstrate by its practical workings what were the precise relations between it and the States, and he naturally clung to the rules of constitutional interpretation he had insisted upon while in Washington's cabinet, when the charter of the United States Bank was under consideration. As his object was, at that time, to limit the growth of the national power, so that the sovereignty of the States, to which he had been accustomed under the Confederation—in so far as each State was obliged to protect the rights of its citizens—should not be encroached upon by the government of the Union, he entertained the idea that this right, as well as the obligation, of protection had not been surrendered by the States to the National Government, and consequently that the latter

had, by passing these laws—the Sedition law especially—usurped powers not confided to it. And he was, doubtless, strengthened in these views when he came to reflect that the opposing ideas had their source in the theory of government he attributed to Hamilton, and to which he was strongly opposed, notwithstanding it had the approbation of Washington. Obviously he was mistaken if he supposed—which seems probable—that the States had retained the right to impose limitations upon the powers confided to the government of the Union for its own protection and that of citizens of the United States. And he was equally mistaken in supposing, if he did, that the National Government would be unduly strengthened and the governments of the States unduly weakened, when the former exercised only such powers as were necessary to defend itself against either foreign or domestic conspiracies, in order to preserve the rights of citizenship in the United States; between which and those of citizenship in the States, there could, in the nature of things, be no necessary conflict. But whatsoever view he may have taken of these general questions he deemed it expedient to appeal directly to the States to interpose their authority in direct resistance to that of the National Government. If he had succeeded—whatsoever his immediate design may have been—the Union would have been at an end within less than the period of a single generation after its creation.

He wrote out and sent to friends in Kentucky two sets of resolutions—elaborately worded—which he desired passed by the Legislature of that State. They were accordingly passed—one in 1798 and the other in 1799,

during the Presidential term of John Adams. The first asserted the doctrine that the compact of union was assented to by the several States in the capacity of organized and sovereign governments, and, consequently, each State, as a contracting party, retained the "right to judge for itself, as well of infractions" of the Constitution, "as of the mode and measure of redress." The second was equally emphatic in declaring "that a *nullification* by those sovereignties,"—the States—"of all unauthorized acts done under color of that instrument"—the Constitution—"is the rightful remedy."

A careful study of these resolutions and the interpretation of them within the light of the events then occurring, and a comparison of them with the opinions he expressed in conflict with those of Washington, while in the latter's cabinet, and which he attributed to the influence of Hamilton over Washington, will show, or at least tend to show, that his purpose was to announce by them rules for interpreting the Constitution which would have confined the National Government within the limitations of expressly delegated powers, and have denied to it the exercise of such implied powers as were necessary to the execution of those expressly granted, as Washington had decided when he approved the charter of the Bank of the United States. But since the government has escaped the disasters which would have befallen it if the public sentiment of the country had been molded and formed by these resolutions, their chief importance, at this time, lies in the light they throw upon the events attendant upon the Presidential election of 1800, when Jefferson was elected.

That election has been—and was by many at the time—interpreted to mean a reversal of the policy inaugurated by Washington. Howsoever Jefferson himself may have regarded it, there is nothing clearer than that he desired and intended to fix the popular rebuke upon the doctrines and principles of Hamilton, not merely because he considered him a most formidable rival, but because he believed—as justice to his memory requires to be conceded—that the prosperity and development of the country would not be arrested by the measures of policy he desired to see introduced. Whatsoever may have been his opinions, however, it is certain that the election, fairly considered in its political aspects and result, settled nothing in conflict with the policy of Washington's administration. Nor could it have been properly construed as condemning Hamilton's theory of constitutional interpretation as Washington had approved and sanctioned it, except in so far as it gave increased strength to those who had set up the rights and powers of the State Governments against those of the National Union.

At this election there were cast 276 electoral votes. Of these Jefferson received only 73, while 203—a majority of the whole—were cast against him. These 203 electoral votes were thus cast: Aaron Burr received 73,—the precise number given to Jefferson,—John Adams 65—but 8 less than Jefferson,—Charles C. Pinckney 64, and John Jay 1. The Constitution then provided that each elector should cast two votes, and that, upon counting the whole, whosoever received a majority should be President, and he who received the next highest number should be Vice-President. As Jefferson and Burr each

received 73 votes—precisely the same number—the election devolved upon the House of Representatives, where the votes are counted by States and not by the individual members. In the House there were 36 ballots cast before an election was had. Upon the last ballot 10 States voted for Jefferson, 4 for Burr, and 2 States—Delaware and South Carolina—did not vote for either. In this way Jefferson became President, and, as such an election would be now interpreted, a minority President at that; inasmuch as he received only 73 out of 276 electoral votes, and was only elected by the politicians of the House of Representatives, without the assent of the people. This view of the result, however, would be unjust to Jefferson. He had won all the distinction the Presidency could confer, and was entitled to such a national testimonial. But it was in no sense a party triumph, howsoever tireless the efforts to make it so may have been. And this view is supported by the further fact that Jefferson received the votes of only eight States on the first ballot in the House, while Burr received six, and two States were divided, and he was not elected until the thirty-sixth ballot, and then only by the votes of ten States. All the facts, therefore,—the failure of election by a majority of the electoral votes, and the equal division of the States—combine to show that there could not then have been a very material difference in the strength of the respective parties, and that a result thus obtained can not fairly be considered a repudiation by the people of the measures and policy of Washington's administration.

May we not well attribute to this cause the effort of

Jefferson, in his inaugural address, to make it appear that all were Republicans and all Federalists—in other words, that these party distinctions should be entirely eradicated? In our time an effort of this kind would be characterized as a party trick, or at all events, the President who should make it immediately following one of our fierce and exciting party conflicts would be pronounced a visionary—the mere “dreamer of unprofitable dreams.” But Jefferson was not a visionary. His mind was eminently practical, and he doubtless desired that party spirit should be extinguished during his administration, in order that he might be thereby better enabled to move the country forward upon the lines of policy he had himself pointed out. He had, in retirement, supplied a considerable share of the fuel needed for kindling the party fires, and none more threatening to the harmony of the national system of government than when he gave his high sanction to the doctrine of State nullification as a remedy against the laws of the Union. If he meant by this,—as possibly he did,—that this destructive power should be held in reserve as the means of preserving the national concord by the fear of its disturbance, even in that view, it can not now be defended, since the practical application of the theory under Jackson’s administration so dangerously threatened the existence of the Union as to render it necessary for him to repudiate and condemn it. It is scarcely probable, however, that he could have been elected to the Presidency at the time he was, if it had then been known that he was the author of this nullification doctrine, as set forth in the Kentucky resolutions of 1799—a fact which did not become public until long after. Even in

the absence of that information, he obtained the Presidency only after a protracted struggle against Aaron Burr, and the result did not prove that his political opinions in conflict with those of Washington met with the public approval, but rather that his success was attributable to the position he occupied with regard to national independence and the acknowledged greatness of his intellectual powers. Howsoever that result may be now viewed, after so many years have elapsed, it is certain that he afterwards somewhat modified his ideas of duty by an effort to allay the party excitement he had done so much to encourage, and endeavored to throw the weight of his character in the scale in favor of the cessation of party strife. That he was patriotic in his purposes was admitted on all sides, notwithstanding the fierceness of the controversy which resulted in his election. He had occupied a position far forward among those who achieved our independence, and undoubtedly felt an earnest longing to see the country foremost among the nations. Hence, when, after reaching the Presidency, he endeavored to pour "*oil* upon the troubled waters" and to quiet the turbulence of political parties, he commended to the country that which is now as necessary to its prosperity and happiness as it then was. From how many painful wounds the nation would have been saved if his counsel had been followed!

It would not be proper for me to discuss the general policy of his administration; nor, if it were, have I any disposition to engage in it, for the reason that all its influences have not yet died away. That it had its origin in patriotic motives there can be no doubt among those

who do not measure others by the standard they selfishly set up for themselves. That he erred in the manner of purchasing Louisiana is too palpable to admit of denial; but the error was committed upon the side of the country. The act itself was not wrong, but the method was,—as I believe he would himself be willing to affirm if he were now alive. If there is such a thing as doing right in the wrong way, this was one.

The territory acquired by the purchase of Louisiana is more than sufficient for an empire. It surpasses in value the same extent of country anywhere else in the world. The people inhabiting it are among the best and most intelligent of our population, and from every patriotic heart in the land there goes out towards them a feeling of fraternal regard. They are united to the Union by ties which no patriot ever desires to see broken. Nevertheless, if the purchase of this territory in the method pursued did not sow dragons' teeth, it set an example, by the direct and admitted violation of the Constitution, conspicuously calculated to weaken the popular affection for that instrument and for the fundamental laws established by it. Such an example necessarily breeds evils, as the Pontine marshes do fevers;—with this difference, however, that diseases of the body may be removed by proper remedies; whereas, when a blow is struck at our national fabric by open violation of the Constitution, it threatens to end in incurable paralysis.

Jefferson, in a letter dated August 12, 1803—while the treaty was pending—said: “The Constitution has made no provision for our holding foreign territory, still less for incorporating foreign nations into our Union. The ex-

ecutive in seizing the fugitive occurrence which so much advances the good of their country, have *done an act beyond the Constitution.*” What was this “fugitive occurrence” which excused—it was impossible to *justify*—an act without a single word in the Constitution to warrant it? The American ministers who negotiated the treaty in France were instructed only to acquire New Orleans and the right to navigate the Mississippi river. Beyond this they had no authority. But the emperor, Napoleon, was upon the eve of a war with Great Britain, and needed money. Having no other means of procuring it, he instructed his own negotiator that when the American ministers made their proposition, he should vary it by offering to cede to the United States the whole of Louisiana, notwithstanding France had pledged herself to Spain by treaty she would not do so. The suggestion of the purchase, therefore, came first from Napoleon, and out of his straitened circumstances this “fugitive occasion” arose. Consequently, the exigency was great and urgent, such as might not have existed again. But however great the necessity, it could not have exceeded that which demanded that the Constitution should be held inviolate. Jefferson felt this, doubtless, very keenly, when he remembered that he had charged Hamilton with being a monarchist because he had enlarged the powers of the government by implying whatever was necessary to execute the express grants under the Constitution. But, although the case was one where there was no grant of power whatever, he allowed the importance of the acquisition and the “fugitive occasion,” to quiet his scruples to such an extent that when the treaty was

made he assented to it and advised that as little as possible should be said about the constitutional difficulty. In a letter written October 30, 1803, he said: "The less said about any constitutional difficulty, the better; and that it will be advisable for Congress to do what is necessary, *in silence*"—these last words having been italicized by himself. This advice was probably prudent, for it was not a case where an express grant of power had to be enlarged by construction and implication, but one which involved an act *wholly outside the Constitution*;—that is, not to interpret an acknowledged grant, but to engraft upon the Constitution a provision entirely unknown to either its letter or spirit.

He excused himself upon the ground of *imminent* necessity. But it is due to his memory to say that he expected some steps to be thereafter taken, after the ratification of the treaty, to heal what he considered a dangerous breach in the Constitution. In one of the letters just referred to, he expressed his anticipation that the treaty would be ratified, and added: "I suppose they must then appeal to *the nation* for an additional article to the Constitution, approving and confirming an act which the nation had not previously authorized." This is like locking the door after the horse has been stolen. Minimize it as much as possible, such a step can not be taken at any time, without foreboding danger to our institutions. To enlarge a granted power beyond its due bounds by unwarranted construction is bad enough, but it is far worse to create a new power without a single word in the Constitution to warrant it and trust to the uncertainty of subsequent ratification. In this case there

has been no such ratification,—nor even an attempt to that effect. National necessity excused the act, and party necessity excused this omission! And the country has gone on step by step, under the auspices of the different parties, until we have acquired Florida, Texas, New Mexico, California, and Alaska—stretching out our borders from the Mississippi river to the Pacific—by flagrant and repeated violations of the Constitution! More than that, we talked a few years ago, with perfect composure and quietude, about purchasing Cuba and Hayti, as we do now about annexing Hawaii. What next? Let any reflecting man sit down in quiet by his own fireside—from which the excitements of party are, or ought to be, excluded—and search out an answer to this question, and he will find it echoed back to him—What next?

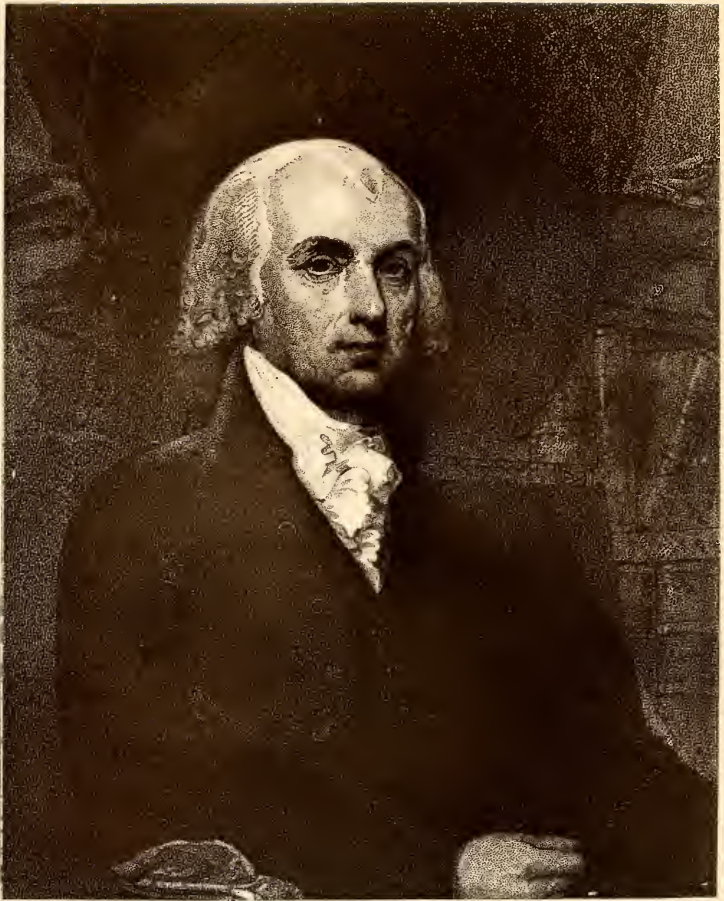
Can the acquisition of territory from a foreign power, at the expense of violating the Constitution, be either justified or excused by necessity? The doctrine that it may be is dangerous for many reasons which will suggest themselves to intelligent minds; but chiefly for the reason that, by party manipulations, the evidences of necessity may be easily distorted; or may be created for a special purpose when none in fact exist. That there have been instances of this kind is well understood, but, nevertheless, one after the other has occurred, until one violation of the Constitution has furnished a precedent for others, and it has become common to hear it said—in imitation of the Common Law courts—that these repeated precedents justify and excuse the violation of the Constitution! We have all heard a great deal about the “general welfare” clause in the Constitution; and Jefferson, in his

opinion upon the bank charter, while a member of Washington's cabinet, said that this clause did not confer "a distinct and independent power;" because, if it did it would reduce the Constitution "to a single phrase," and empower Congress "to do whatever would be for the good of the United States," so that as the United States "would be the sole judges of the good or evil, it would be also a power to do whatever evil they pleased." It has always been a bugbear to those who are in perpetual alarm at the specter of consolidation; and yet some of the most vociferous of them contemplate these precedents with quiet nerves, seemingly unconscious that every act of annexation inflicts a fresh wound upon the Constitution. Jefferson, notwithstanding the limitations he put upon this "general welfare" clause, did not urge upon Congress, in any of his messages, such an amendment of the Constitution as would have ratified the purchase of Louisiana, or authorized the subsequent annexation of foreign territory. He seemed content to occupy the ceded territory as a part of the Union and to leave his example for future imitation. And the consequence has been that while the "general welfare" can not be promoted by acts of domestic legislation, it is sufficiently broad and comprehensive to warrant the annexation of foreign territory! Laws can not be enacted by the assembled representatives of the people for the "general welfare," but treaties can be made for that purpose alone! The President and Senate—less than a hundred men—may do in secret what the assembled wisdom of the nation can not do! If a treaty could not be executed until approved by the House of Representatives, this anoma-

lous condition of things could not exist. And a careful study of the life and character of Jefferson has brought my mind to the conclusion that if he were now alive he would recommend this remedy to be applied, so as to atone, in some sense, for his assent to the violation of the Constitution by the acquisition of Louisiana.

My reason for this belief is founded upon the conviction that, among all our public men, not one has entertained and cherished a higher regard than Jefferson did for the rights of the people. He believed them to be competent for self-government, and labored to terminate their allegiance to royal authority that they might enter upon that experiment. He looked with jealousy upon all accumulations of power in other hands than theirs, and this jealousy was increased in proportion to its removal from them. I have stated frankly that, in my opinion, he committed errors, but it is worthy of repetition, that he believed them to be upon the side of the country. But when it is remembered that he was the author of the Declaration of Independence, without which we should have had neither the Constitution nor the Union, it ought to be the pleasure of us all to cover these errors with the mantle of charity, and keep alive in our minds the sentiment of gratitude for the services he rendered in the cause of human liberty and the inalienable rights of mankind.

JAMES MADISON



James Madison



CHAPTER IV

JAMES MADISON

THE sentiment of veneration for Madison, entertained by all in the vicinity of my birthplace, was deeply imbedded in their minds. His praises were so frequently sounded in my hearing that among my earliest recollections of public men and events are those with which his name is associated. The purity of his life was such and the prominence of his virtues so conspicuous, that this sentiment was imparted to my own mind, and became so indelibly fixed that, in my early estimate of the founders of the republic, I was accustomed to place him next to Washington,—esteeming him as the Father of the Constitution and Washington as the Father of the Nation.

His country residence was known as Montpelier. It was situated in Orange county, Virginia, within less than thirty miles from the place of my nativity. As all travel at that time was upon horseback, and I was too young to visit him alone, my opportunities for seeing him were “like angels’ visits, few and far between.” There having been, however, several occasions when I could do so, I was enabled, much to my gratification, to realize for myself that his personal appearance indicated the possession of the high qualities universally assigned to him. After I had seen Jefferson, I could not avoid observing the

contrast between them,—Madison being below the average height while Jefferson was tall. I was more attracted by the expression of his countenance than by that of Jefferson. It seemed to me, each time I observed him, that I had rarely seen a face in which more benignity and quiet composure was expressed. It was a complete personification of gentleness and benevolence. This, however, was altogether consistent with the prominent characteristics assigned to him by the whole community—characteristics which made him as influential in the limited circle around his home as he had been in the broader field of national affairs.

A gentleman whom I knew intimately until his death—not very many years ago—and the son of a Revolutionary officer, married a niece of Madison. Other marriages brought me in close relations to this family and to others who had followed the counsels of Madison and learned to appreciate his virtues. I can not forget these early associations and the grand old mansion—nestled away among the spurs of a beautiful mountain range—where they occurred; or the lessons of wisdom which were taught by the Revolutionary patriot who presided over them. When he spoke of Madison—as he often did—it was in terms of affectionate regard; and it should excite no surprise that my youthful enthusiasm was enkindled by his words; nor that it partially comes back in my old age. That little circle has been, for many years, broken up, and not a single member of it, besides myself, survives. But memory brings them all back again—reminding me afresh of the joys we once shared

and of the instruction imparted by the venerable father and sage.

Madison was peculiarly well qualified for such positions as required industry, learning, and accuracy of judgment. When he retired from the Presidency in 1817, he had been continuously in the public service for more than forty years. His severe labors as a student at Princeton College, New Jersey, somewhat impaired his health, and when he graduated, in his twenty-first year, it was feared that his decline would be rapid. But his prudent and temperate habits brought back his natural vigor, so that he lived until his eighty-sixth year, and when he died, in 1837, was the only survivor of the National Convention which framed the Constitution of the United States. The year of the Declaration of Independence he was elected to the General Assembly of Virginia, from his native county of Orange,—a distinction which at that critical period was not often conferred upon one so young. His ability was at once recognized and he was made a member of the Executive Council of the State in 1778, which alone prevented him from taking part in the Congressional proceedings which resulted in the Articles of Confederation. The next year he was elected to Congress, where he served until 1787, when he was elected a delegate to the Constitutional Convention. In that illustrious body his services were of inestimable value. No member of it did more than he towards framing and maturing the Constitution, and his carefully prepared report of the proceedings constitutes an indispensable guide to all who desire to become familiar with that important epoch in our history. His discussions in that body displayed the

highest wisdom, and the twenty-seven letters contributed by him to the *Federalist*, in support of the Constitution, are among the most valuable contributions to our political literature. While it can not be justly claimed that they surpass the fifty-one written by Hamilton, and the five by Jay, it may well be said that these letters, taken as a whole, contributed, in an eminent degree, to the ratification of the Constitution. He was elected to the first Congress after the new government was formed, and served in that capacity during the entire period of Washington's administration. His influence was felt in all the departments of the government, and Washington had entire confidence in his integrity and fidelity.

When the bill for the charter of the Bank of the United States was pending in Congress he opposed it upon the ground that it was unconstitutional. In this he agreed with Jefferson, maintaining, as the latter did, the doctrine that if the powers expressly granted to Congress by the Constitution were enlarged by construction and implication, they might easily be carried to the extent of interfering with and impairing the reserved rights of the States. He voted against the bill, but there is nothing to show that, after it was approved by Washington, he lost confidence in the administration or participated in Jefferson's hostility to Hamilton. He was incapable, from mental organization as well as inclination, of entertaining violent feelings towards an adversary, and as the questions then pending were all new, he refrained from participating in any movements calculated to embarrass the government. And this was the position he occupied during the whole eight years of Washington's adminis-

tration. He had contributed as much as any man in the nation towards the formation of the new government, and was so devoted to the Union that the conservative tendency of his mind forbade his doing anything to embarrass the one or create disaffection towards the other.

His warm friendship for Jefferson caused him to take the side of the latter in the controversies which grew out of the administration of John Adams. While the severe conflict with reference to the Alien and Sedition laws was in progress, he drew up a set of resolutions in opposition to them, which were passed by the Legislature of Virginia in 1798. Believing these laws—especially the Sedition law—to be unconstitutional, these resolutions so declared in emphatic terms, basing this declaration upon the doctrine that the rights of the States would be endangered if Congress were allowed “to enlarge its powers by forced constructions of the constitutional charter which defines them.” To this extent they agreed with the resolutions Jefferson drew and had passed by the Legislature of Kentucky. With reference to the *remedy*, however, they differed from the latter in this: that instead of asserting the right of the States to *nullify* the laws of the United States—as the Kentucky resolutions did—they declared that it was their duty “to *interpose*, for arresting the progress of the evil” and for “maintaining” their own rights. The manner of interposing was not explained. Nor was it in the report, explanatory of the resolutions, which Madison made to the Legislature, he then being a member of the Virginia House of Delegates. In this report he was emphatic in the declaration that the States could interpose only where there was a “*deliberate*,

palpable, and *dangerous*' violation of the Constitution, such as amounted to usurpation,—in other words, threatened the Union itself. The distinction is plain. The Kentucky resolutions of Jefferson declared in favor of pronouncing an unconstitutional law null and void, so that the citizens of the State, making this declaration, should be released from the obligation of obedience to the obnoxious laws. Whereas, the Virginia resolutions of Madison went only to the extent of declaring that, in such cases, the States should *interpose*, in some expedient but undefined way, to get rid of such laws. There was also this further difference; the Kentucky resolutions provided *nullification* as the remedy against all such laws as the nullifying State should declare unconstitutional. But the Virginia resolutions applied only to such laws as *deliberately* and *palpably* violated the Constitution and, for that reason, were *dangerous* to the Union. And this was the real ground of difference between Jefferson and Madison, as came to be known only when Jackson boldly and courageously planted his feet upon the nullifying laws of South Carolina. Before that time it was not known that Jefferson was the author of the Kentucky resolutions, but investigation led to the exposure and acknowledgment of the fact, and Madison, being then alive, availed himself of the occasion to point out the true meaning of those of Virginia.

Madison became Secretary of State under Jefferson, and served in that capacity during the whole period of the latter's administration. The questions with which he had to deal from the beginning were most difficult,—involving the relations of the United States with the pow-

ers of Europe. Up to that time these powers had been, for many years, engaged in strife and wars which grew out of their protracted contests for superiority. These had produced complications embarrassing to the administrations of both Washington and Adams; but the treaty of Amiens in France—the preliminaries of which had been agreed upon during the first year of Jefferson's administration—had restored Europe to comparative quiet, inasmuch as France had regained her colonies and Great Britain had acquired almost exclusive dominion over the seas. The troubles which had kept France in continual turmoil for several years so far disappeared that, while there were indications that the people would be held in subjection by monarchical and military power, the questions still agitating them were mainly domestic, and such as did not involve the interests of the United States. Madison, therefore, as Secretary of State, was relieved from much of the responsibility which had weighed heavily upon Timothy Pickering, who had served in that capacity under Adams. It is true, however, that the royal decrees of the European continental powers, paper blockades and the impressment of our seamen by Great Britain, presented questions of the greatest magnitude and difficulty,—such as enabled Madison to display the great breadth of his intellectual powers, as well as his intense devotion to the honor and international rights of the United States. The history of that period can not be thoroughly understood without a careful study of his state papers, every one of which bears the stamp of his superior and commanding intellect.

When Great Britain declared war against France in

1803,—to check the ambitious schemes of Napoleon—new international problems had to be solved. These demanded, upon the part of Madison, not only great prudence and discretion, but a display of the highest intellectual capacity and wisdom. All the nations of Europe were engaged in war, and each asserted the rights and powers of a belligerent. Among them there was not a single neutral power. The navies of France and Spain united against that of Great Britain, and when, after Trafalgar, the supremacy of the latter was established, the impressment of our seamen became more frequent and flagrant. This outrage was such that it could not be submitted to, and when to it were added questions about the rights of neutrals (paper blockades), and other kindred matters, the responsibility resting upon Madison became so increased as to push his ability to a severe and crucial test. But he was equal to it, and succeeded so well that the principles he asserted and maintained by clear and cogent reasoning have become an essential part of international law.

The policy of Jefferson was essentially peaceful; and during his first administration no preparations were made for war. The commercial interests of the seaboard States were supposed to be seriously imperiled, and, consequently, the excitement became very great,—so much so that the war spirit was aroused, and the demand for retaliatory measures became urgent. Jefferson regarded gunboats as furnishing protection to the seaport cities and towns, and a large number were accordingly constructed. Great Britain, with her immense naval equipment, treated this with somewhat of levity, and steadily pursued her

antagonistic policy. The United States found it necessary to counteract this by the passage of an embargo law, whereby the exportation of our commerce was entirely prohibited. This law was passed in 1807, and instead of diminishing tended materially to intensify the excitement among the commercial classes, who, finding their trade with foreign countries entirely destroyed, became clamorous for some more effective retaliatory measures, or for war with Great Britain or France,—especially with the former, on account of her continued impressment of our seamen. Among English statesmen it seemed to be understood that the United States could not be kicked into a war, and therefore the practice of impressment continued, and was in progress at the close of Jefferson's administration.

Madison was chosen President at the election in 1808. There were then 17 States with 175 electoral votes. He received the votes of 12 States, casting 122 electoral votes, against Pinckney, who received the votes of 5 States casting 47 electoral votes, and 6 electoral votes thrown away upon Clinton. From what has been said it will be apparent that the condition of public affairs was, at that time, exceedingly embarrassing. Madison was, of course, perfectly familiar with it, but having been transferred from the state department under Jefferson, to the Presidency in his own right, he realized both the necessity and obligation of adopting such a line of policy for his administration as would put the country in a condition to protect its own interests, and, if it should become necessary, to avenge any insult to its flag. The embargo law had been repealed and a non-intercourse

law substituted for it, which had just taken effect at the beginning of his administration. The object of this latter law was to abate the interdiction of commerce in so far as neutral and friendly powers were concerned; but to leave the law so effective that both Great Britain and France should feel the loss of the commerce of the United States. This discrimination against these two powers was especially offensive to Great Britain and but little less so to France. The minister of the former power then in the United States became so offensive in his interviews with the Secretary of State that Madison became incensed and demanded his recall—which occurred, and another was sent in his place. France issued a royal decree to the effect that vessels of the United States entering her ports should be seized and confiscated; and Great Britain left her obnoxious orders in council still in force and refused to relinquish her practice of impressment. Madison was unwilling that the United States should recede. Although by nature and habit the tendencies of his mind were all towards peace, and he had an intense desire to see such a system of domestic measures established as should develop the material resources of the country, yet he was resolved from the beginning of his administration that the honor of the nation and its flag should be preserved at every hazard. Accordingly another non-intercourse law was passed in 1810; which provided that commercial intercourse should be renewed only with such nations as should repeal their obnoxious decrees, but that those which declined to do so should still be treated by the United States as belligerents and enemies. France, realizing the importance of our commerce, then revoked

the Berlin and Milan decrees of Napoleon; but Great Britain, fearing the rivalry of the United States, continued her orders in council in force. It became, therefore, perfectly apparent that this latter power intended to defy our system of non-intercourse, and drive the United States either to submission or to the adoption of some more effectual method of retaliation.

Nothing occurred for several years to change these relations between the United States and Great Britain, otherwise than as they became more and more strained. Madison was cautious to pursue no course not warranted by the law of national self-defense, but was alike cautious to protect the rights of the United States. He did not desire war—not merely because of the consequences which inevitably follow all wars, but because he desired the people of the United States to cultivate the arts of peace, so that, by developing their material resources, they should reach, among the nations, the distinguished position to which he considered them entitled. He did not consider the government constructed, as the governments of Europe were, for warlike purposes or acts of aggression, but as designed to advance the domestic welfare. To that purpose he was anxious to devote all the energies of his administration. Yet he was not so tenacious for peace as to submit uncomplainingly to the repeated indignities of the British government. When, therefore, he realized that British aggressions upon our commerce were continued, he commenced preparations for war. One important step in that direction was the appointment of James Monroe Secretary of State in the place of Robert Smith resigned. This appointment

was deemed necessary on account of Monroe's distinguished military services under Washington during the Revolutionary war, and was hailed by all who advocated war as a favorable omen. It did not take long to demonstrate the wisdom of these preparations, for, instead of relenting, the British government became bolder and more offensive towards the United States. Accordingly, after recommending the enactment of an embargo law, he sent to Congress a confidential message, June 1, 1812, in which he explained why, in his opinion, the United States and Great Britain were already at actual war with each other, and recommended that the "just cause" of the country should be committed "into the hands of the Almighty Disposer of events." In response to this message war was declared against Great Britain June 18, 1812, and the two countries entered upon a conflict upon both land and water, the result of which is taught in all our common schools. It is sufficient to say of it now that it demonstrated to Great Britain and the world that the government of the United States was abundantly able to protect all the interests confided to its care, and that the people of the United States would not submit to the dishonor of their national flag. It vindicated our national rights against the strongest and most warlike power in Europe, and terminated, after this was accomplished, when the treaty of Ghent was executed, December 24, 1814, upon the part of the United States, by John Quincy Adams, James A. Bayard, Henry Clay, Jonathan Russell, and Albert Gallatin—a splendid galaxy of talent and ability.

It is proper to state here, parenthetically, that this

treaty of Ghent did not settle definitively the questions in dispute between the two countries, but left them to be disposed of as future exigencies should demand. Madison had the satisfaction of knowing, even before the close of his administration, that the rights of the United States were recognized by the leading nations of the world. And he lived long enough to realize, as the legitimate fruits of the war, that the commerce of this country was no longer shackled by oppressive royal orders and decrees, and that our seamen were no longer impressed into the service of foreign and rival powers. The successful development of our commerce from that time up till the present has vindicated, not alone the necessity of the war, but the wisdom of his administrative policy.

Madison's first term in the Presidential office terminated during the war. It became necessary, therefore, that he should be renominated preparatory to the political contest of 1812, which directly involved the approval or disapproval of the war. This was done by a Republican Congressional Caucus, as that was then the customary method. There were 18 States—Louisiana having been admitted into the Union—and 218 electoral votes. He was supported by 11 States, casting 128 electoral votes; and 7 States, casting 89 electoral votes, supported George Clinton. Madison, consequently, was the war candidate, and his election was a complete vindication of his war policy.

The war was not universally popular, and the opposition to it became intensely violent in the Northern section of the Union. It did not take the form of friendliness for the British cause, although it was interpreted by

the war party as meaning that. It led, however, to a sectional conflict which, for a time, seriously threatened the Union with disruption. It assumed the most dangerous form in the threatened resistance to the national authority. In some portions of the Northern States this authority was repudiated upon the ground that the States had the right to release themselves from the obligation of obedience to it;—in other words, while it did not go so far as the Kentucky resolutions of 1799 and assert the right of the States to *nullify* a national law, it derived support from those of Virginia in 1798—which Madison had drawn—by insisting upon the right of the States to interpose and protect themselves against what they considered oppressive national legislation. The anti-war party regarded the war measures as of this character, and while they professed a desire to see the United States triumph over Great Britain, were unwilling that troops furnished as their quota by the States should be commanded by national officers. They insisted that the call for troops was upon the States as distinct sovereignties, and that each State should be permitted to raise its quota in its own way, place its own officers in command, and defend its own territory at its own expense. This was an insidious plan of resistance to the war, and if it had been successful would, undoubtedly, have reduced the United States into a colonial dependency of Great Britain. It, however, was not responded to by a large or influential number of people in the section where it was most vociferously advocated. The Legislatures of the New England States convoked a convention to consider it, and this body met in December, 1814, in Hartford,

Connecticut, for that purpose. It passed a series of resolutions which, although they did not go quite so far as to assert the right of nullification, did not stop far short of it. Practically it did no mischief in so far as the national cause was concerned, for the treaty of Ghent, made the same month of its session, put an end to the war, as it also did to the political life of nearly every man who participated in the Hartford Convention. Even at a very early period after its adjournment the verdict of condemnation was pronounced against it in New England, as well as elsewhere.

Madison was compelled to pass through a severe trial—one which he could not have endured but for his patience, equanimity and patriotism. He dealt kindly with friends and adversaries alike. His appeals to the sentiment of nationality were so eloquently made as to touch the hearts of all, except the few who had given themselves over to the madness of desperation. But even with these he did not deal harshly, for the tenderness of his sympathetic nature forbade every form of severity. He had an abiding confidence in the virtue, intelligence and patriotism of the great body of the people, in every section of the country, and upon this he relied with unshaken faith. And he who shall carefully study the history of that period can not escape the conclusion that it was most fortunate that he then occupied the Presidential chair. His defeat in 1812 might have imperiled the Union, but his success enabled him to set an example of fidelity to it, which teaches that it is too precious to be destroyed by either foreign or domestic foes.

The war paralyzed the business of the whole country.

There was comparatively little foreign commerce, and that at home consisted, in a large measure, of the exchange of commodities. The financial condition was deplorable, the banks having been forced to suspend specie payments. There was not money enough in the country to answer the demand, and the government itself was in a straitened financial condition. To counteract these evils Congress passed an act creating a bank of the United States with a capital of \$35,000,000, composed of \$5,000,000 in specie, \$10,000,000 six-per-cent. stock funded after the war broke out, \$15,000,000 treasury notes, and \$5,000,000 to be held by the United States, and paid for in four-per-cent. stock, to be created for that purpose. This bill was *vetoed* by Madison solely for the reason that its provisions were insufficient for the purposes designed. He thought the amount of the government stock insufficient to raise and sustain the public credit;—that no adequate public advantage would arise from the subscription of treasury notes;—that the government was not secured, during the war, in either permanent or temporary loans;—and that the bank could not be relied upon to provide a circulating medium during the war.

We have seen that when the bill to charter a United States bank was pending in Congress in 1791—when Washington was President and Hamilton Secretary of the Treasury—Madison opposed it upon the ground that it would violate the Constitution. This renders it necessary that we should know exactly what he said upon this occasion, so as to understand the precise views he then took of the constitutional question. This is the language he employed in his *veto* message, January 30, 1815:

“Waiving the question of the constitutional authority of the Legislature to establish an incorporated bank, *as being precluded in my judgment by repeated recognitions, under varied circumstances, of the validity of such an institution in acts of the legislative, executive, and judicial branches of the government, accompanied by indications, in different modes, of a concurrence of the general will of the nation,* the proposed bank does not appear to be calculated to answer the purposes of reviving the public credit, of providing a national medium of circulation, and of aiding the treasury by facilitating the indispensable anticipations of the revenue, and by affording to the public more durable loans.”

Does this import that he had changed his opinion upon the constitutional question? If he had, there is nothing in such a fact to lessen his claim, in the least degree, upon the public confidence at that time, or in the public respect for his memory now. He who is entrusted with the management of public affairs and persists in such a course as his own conscience condemns as erroneous, ought not to be trusted. When Jefferson, in advocacy of religious liberty in Virginia, said: “Error ceases to be dangerous when reason is left free to combat it,” he conveyed, not only the idea that public enlightenment would successfully resist it, but that he who would not retract it when made conscious of its misleading influence, was an unsafe counselor. Whatever mere *politicians* may do upon this subject, *statesmen* do not hesitate, for the reason that, while the former are apt to confine their sphere of action within the narrow circle of self-interest, the latter extend theirs far enough to em-

brace the welfare of the public and provide for a progressive increase in the sum of human happiness. Politicians are devoted to party, because it furnishes them the machinery whereby they may accomplish their own success. Statesmen repudiate parties when they find them tending to inflict injury upon the interests confided to their care, and unflinchingly pursue the course of duty, accordingly as their consciences dictate. Madison was a statesman and not a politician in the common sense. His training in the school of the Revolution had enlarged his views of the rights of mankind. His early political impressions were such as were of natural growth under the Confederation. The articles which associated the thirteen original States were intended to form a "perpetual union" for the "common defense" and the "general welfare" of all. But as each State retained its absolute "sovereignty, freedom, and independence," the guarantees were considered as extending no further than protection against foreign aggression. As to all else, each State was the exclusive guardian of its own local interests, which left no sentiment of nationality existing other than that thus created. When these same terms were inserted in the Constitution it was understood that they should have a broader and more comprehensive meaning than under the Confederation, but how far they should be extended was left to be decided by the future exigencies of the new Union. On all hands it was admitted, however, that the sentiment of nationality would necessarily grow out of this new Union, and that its extent and development would be increased in proportion to the success of the experiment. Therefore, it was en-

tirely natural that these limited views of the "general welfare" should be carried over by our early statesmen from the Confederation to the Constitutional Government, and that, for a time, they should be hampered and restrained by them. This was undoubtedly the case with Madison, as is sufficiently shown by his argument, in 1791, against the constitutionality of the bank charter. Adhering to his early impressions regarding the sovereignty of the States, he endeavored to demonstrate that the "general welfare" did not embrace anything that interfered with the reserved powers of the States, and, consequently, that the bank would be unconstitutional because it did so interfere in the manner indicated by him, that is, it would defeat the State banks, and put it out of the power of the States to prohibit as well as to establish them. He did not suppose that the power to impair and lessen these and other sovereign rights which the States had reserved could exist unless expressly granted by the Constitution, and as he did not think the express powers could be enlarged by construction and implication, he held the bank to be unconstitutional. Virginia had been so long accustomed to the exercise of sovereign powers, and to view her own interests as distinct from those of other States, that her statesmen were slow to realize the existence of that admirable cycle of powers, wherein both the National Union and the States could move forward in mutual harmony, to the development of national greatness. And hence, as this greatness was only in the perspective in 1791, Madison was disinclined to see the powers of the National Government so enlarged by im-

plication as to interfere with the rights the States had been long accustomed to exercise.

Washington was the first among the Virginia statesmen to realize that the States had surrendered some portion of their original sovereignty under the Confederation, in order thereby to form a union for the protection and advancement of such interests as were national in their character. He realized also that the States had no juster right to place limitations upon the powers of the Union under the Constitution, than the Union had to restrict the powers of the States over their domestic affairs. He could easily foresee that the Union would fail to accomplish the objects of its creation, unless its powers became comprehensive enough to embrace jurisdiction over the "general welfare," as distinct from the special welfare of the separate States. It is probable, but not certain, that Jefferson was led into antagonism to these views mainly by his hostility to Hamilton, to whose influence over Washington he attributed them. And the mind of Madison, made impressible by his friendship for Jefferson, was easily brought to the belief that the Union could not endure beyond the time when the States should submit to the impairment of the sovereignty they had so long enjoyed under the Confederation. In fact, the new government under the Constitution was an untried experiment, and it should not be regarded as an impeachment of the patriotism of any of these illustrious framers of the government that they differed in opinion.

When Madison, however, became President of the Union, he saw that the sphere of his duties was exclusively national, limited only by the Constitution so inter-

preted as to promote the "general welfare;"—not the particular and special interests of individual States, but the general interests of the people of the United States. And when he looked to the Constitution as his guide, he could not fail to see that if the "general welfare" had been such as to excuse Jefferson for the purchase and acquisition of Louisiana, without a word in the Constitution to sanction it, he could not avoid the conclusion that if the express grants of power to Congress were so limited as not to include whatsoever was necessary to their execution, the Union would fall short of accomplishing what he and other framers of the Constitution had designed it should accomplish. This did not require any actual change of opinion upon his part, but the simple application of such rules of interpretation as experience had proved to be necessary for preserving the Union. Judges take the law from the superior courts and announce it accordingly from the bench, whatsoever their individual opinions may be. When, therefore, Madison was required as President to review the past history of the government, and to observe the rules established by experience for interpreting the Constitution, his line of duty appeared plain, and he patriotically announced to Congress and the country, that as all the departments of the government and the people had sanctioned the rules of interpretation which Washington had approved, it was his duty, as one of the successors of Washington, charged with the promotion of the "general welfare," to interpose no further objection to a bank of the United States on the score of its unconstitutionality. The consequence was that as the necessities of the country increased, and the government

as well as the increasing commercial interests demanded an improved system of finance, Congress, in 1816, passed another act granting a charter to a bank of the United States, and Madison, without the least hesitation, approved it, and it became a law. And thus, looking out upon the "general welfare" of the whole Union, he indicated the desire so to administer the government as to make the national compact indissoluble, by filling other minds with as fervid patriotism as occupied his own.

Madison's administration ended March 3, 1817. One of our greatest statesmen, referring to that event, says: "It was his fortune to conduct the affairs of state in a most trying period of our country's history; but she passed in safety through the perils that beset her; and when he retired to the peaceful shades of Montpelier, he left his countrymen in the enjoyment of an unusual degree of tranquillity, prosperity and happiness." If it were proper to add another word by way of eulogy, it might well be said that, as he was guided through all his public life by intense and ardent patriotism, he left such an example of devotion to the Union he aided in creating, that the wisest statesmen of the nation may now and hereafter profit by its imitation.

JAMES MONROE



James Monroe

CHAPTER V

JAMES MONROE

THERE was nothing peculiarly striking or impressive in the personal appearance of Monroe. He was not so tall as Jefferson, but taller than Madison. His face was not so shrunken as the former's, nor so full as that of the latter. His countenance indicated the possession of the highest reflective faculties and perfect candor and sincerity—wholly without 'dissimulation. For these qualities he was universally esteemed, and it was impossible to observe him closely and hear him converse, without concluding that, in this respect, his reputation was well deserved. I had been always taught thus to regard him, and this estimate of him became fixed in my mind by personal observation. He was a fine specimen of what, in my boyhood, was called an "old Virginia gentleman,"—sincere in manner, simple in tastes, courteous in deportment, and manly in intercourse with all.

I saw him frequently. He resided near the village of Aldie, in Loudoun county, Virginia, and it was his custom to make frequent visits to Jefferson and Madison, in Albemarle and Orange counties, which required that he should pass through the town of my nativity, both going and returning. He traveled in a two-horse carriage, driven by a negro servant, and always stopped at the same hotel and remained all night, in order to hold social

intercourse with friends residing there, who had been his companions in the war of the Revolution. Whenever he arrived it was soon known to all, and there were very few among the small population who did not pay their respects to him. These crowds were not sufficient to constitute a modern levee, but they were composed of sincere admirers who were never slow in discharging all the courtesies and amenities of social intercourse. Upon several of these occasions, boy as I was, I succeeded in crowding so near to him as to obtain distinct views of his person and hear him converse. Several of the Revolutionary officers who visited him served with him under Washington, and while, upon these occasions, they had no opportunity to recount the scenes through which they had passed together, I have not forgotten with what admiration I looked upon him and them, as the representatives of the most glorious period in our history. More than six decades of time have passed since then, but these veterans are not infrequently brought back before me among the visions of the night-time, as well as amid the scenes of active life.

Besides the questions which had previously divided the country into the Republican and the Federal parties, others which grew out of the war with Great Britain, under Madison's administration, were of such exciting character as not only to influence, but to control the Presidential election of 1816. Monroe was nominated by a Republican Congressional Caucus as the war candidate, and the Federalists made no nomination, but were content to unite upon Rufus King, who had opposed the war at the beginning, but afterwards favored its vigorous

prosecution. The popular vote was largely in favor of Monroe, and he accordingly received the support of 16 States, casting 221 electoral votes, and King received those of 3 States, casting 34 electoral votes—19 being then the whole number of States. This tended somewhat to fan the flames of sectional strife, inasmuch as four of the five Presidents up to that time elected had been from the same State in the South, while the North had elected only one,—in other words, it was argued that, at the close of Madison's administration, the South had controlled the government for twenty-four years, and the North only four years, and that if Monroe should serve eight years, these twenty-four would be increased to thirty-two. Still, however, the questions growing out of the war were so national in character that the spirit of sectionalism was almost entirely subdued, and Monroe's election introduced an era of peace between the sections as well as, in a large measure, between the former parties. And this result was entirely consistent with his pacific temper and the whole course of his public life,—for among our public men not one had been more zealous in the national cause, or had contributed in a more important degree to the change of the Confederation into a Constitutional Government. Nor had any served with greater gallantry during the Revolution. In that perilous period he was distinguished for his bravery. After having been wounded in the battle of Trenton, he was compelled to quit active service for a time, but upon his recovery returned immediately to the army, under Washington, and became aid-de-camp to Lord Sterling, and distinguished himself in the battles of Brandywine,

Germantown, and Monmouth. He was greatly esteemed for his military talents, and it is worthy of remembrance as a historic fact that he and Washington were the only Revolutionary officers ever elevated to the Presidency, and, moreover, have been the only Presidents ever unanimously elected, as was the case twice with Washington and once with him.

When the question of abandoning the Confederation was agitating the country the services of Monroe were essentially important. It is hard to imagine a more delicate and important crisis in the affairs of any people than that which then engaged public attention. It required great discretion and the utmost wisdom to avoid the pitfalls in the pathway of the country. There was nothing in the past history and experience of the world which could be taken as a guide,—no landmarks to steer by could be discovered. By the Declaration of Independence it had been resolved to create a nation, but the experiment up to that point had proved to absolute demonstration a failure, inasmuch as there was entirely lacking the spirit of unity in which alone the sentiment of nationality could exist. The thirteen States which had entered into the League of Confederation occupied territorial possessions upon the Atlantic, stretched out upon a coast line greater in length than fifteen degrees of latitude. Each desired a commerce of its own upon the ocean, and such methods of developing its internal resources as were dictated by the varieties of soil and climate, and by the habits and customs of the inhabitants. There were also differences of sentiment which tended to prevent the populations from becoming sufficiently homo-

geneous to form a nation. In fact, there was very little that did not contribute to produce divergence rather than union; and one can scarcely conceive of a task more difficult than to bring so many antagonizing elements into harmony.

The part performed by Monroe at this important period was so marked by disinterested patriotism, and his conspicuous services in the Revolution were so well understood by the whole country, that when he became President the conviction was universal that the affairs of the government would be well and faithfully administered. He had not favored the acceptance of the Constitution, because of the absence of what he considered necessary guarantees; but the general conviction was that in this his chief desire had been to preserve, against the possibility of infraction, the main fundamental principles upon which alone popular government can be made secure. The Constitution having been adopted, however, and the Union formed, his fidelity to both was unquestioned; and he therefore came to the Presidency, after the close of the war with Great Britain, under circumstances favorable to the peaceful development of the country. He had a broad field for the cultivation of amicable relations between the sections, for the rebuke of party excesses, and for making more secure than ever the foundations of the Union. And for all this he was materially aided by his equanimity of temper and conceded honesty of purpose.

Before Monroe came to the Presidency many things had combined to anger the political parties towards each other. The violent abuse of Washington had incensed his Revolutionary compatriots in the highest degree, and

they were not accustomed to suppress or conceal their indignation or to employ dubious terms when expressing it. The Alien and Sedition laws of Adams's administration had been the cause of an angry conflict between the States and the National Government, which had engendered the most intense passion. The war with Great Britain had produced sectional animosities calculated to excite alarm for the safety of the Union. The approval of the Bank of the United States by Madison, in 1816, was considered by the followers of Jefferson as in opposition to his method of interpreting the Constitution, and as favorable to that of Hamilton, which Washington had approved. And there were innumerable other incidental matters which inflamed the parties and convulsed the country from one end to the other. Having been confronted by this condition of affairs Monroe commenced his administration under most trying circumstances, both to the country and himself.

General Jackson was then preparing for the prosecution of the war against the Seminole Indians, to avenge the depredations upon the property of our citizens, to which they had been incited by the Spanish authorities of Florida. He had never been a politician in the commonly accepted sense, but the brilliant generalship he displayed at New Orleans in 1815 placed him in such a position as to give him commanding influence throughout the country, and especially among the communities where he had been long and favorably known. His patriotism was broad enough to embrace the whole country, and as he could not fail to realize the dangers threatened by the excesses of party spirit, he resolved to throw his influence

upon the side of the country, by urging upon Monroe the necessity of placing some wholesome restraint upon these excesses. Accordingly, as soon as it was understood that Monroe was elected, Jackson wrote him a letter, dated November 12, 1816, which deserves to be printed upon some imperishable material and hung up in every dwelling-house and public edifice in the country. In it he said:

“Your happiness and the nation’s welfare materially depend upon the selections which are to be made to fill the heads of departments. Everything depends on the selection of your ministry. In every selection, party and party feelings should be avoided. Now is the time to exterminate that *monster* called party spirit. By selecting characters most conspicuous for their probity, virtue, capacity and firmness, without any regard to party, you will go far to, if not entirely, eradicate those feelings which, on former occasions, threw so many obstacles in the way of government; and perhaps have the *pleasure* and *honor* of uniting a people heretofore politically divided. The chief magistrate of a great and powerful nation should never indulge in party feelings. His conduct should be liberal and disinterested, always bearing in mind that he acts for the *whole* and not a *part* of the community.”

Monroe did not accept this advice. His reasoning to the contrary of it has been preserved, but it fails entirely to weaken Jackson’s main position—that the President is, from necessity, the representative of the whole nation and not a part of it. He attempted to evade the force of this by assuming the false hypothesis that the Federalists

were the enemies of the country, and their appointment to office, if they remained faithful to their professed convictions, would, in some sense, imperil the public welfare. This assumption doubtless arose out of the fact that during the recent war with Great Britain that party had pursued such a course as to excite the suspicion of disloyalty to the Union. To that extent, if his assumption had been true, he would have been sustained by the country, and by Jackson as well. But it was not true;—for he expressed the opinion, in his assignment of reasons, that there were large numbers of Federalists who were dissatisfied with the attitude in which their party had placed them, and were desirous of the success of the Republican policy. It is fair to presume that Jackson knew this, also, and that his own patriotism prompted him to suggest the course he did, with the belief that it would contribute essentially to the restoration of internal harmony, and, by strengthening the bonds of union, promote the “general welfare.” When he spoke of the community as a whole, he undoubtedly meant the nation, and intended to convey the idea that, as each citizen was interested in its preservation, he should not be forbidden to participate in the management of public affairs merely because of his party alliance. With him, fidelity to the nation, as such, was one thing; but mere difference of opinion with regard to measures of domestic policy was another. The first was of such a character as to exclude all the adversaries of the nation from participating in the management of public affairs, but the latter was not. In this Jackson was right and Monroe wrong; and if the advice of the former had been followed by the

latter, it is not probable that there would ever have existed such a condition of things as to give rise to the demoralizing doctrine of the "spoils of office" as the reward of the "victors" in the contests of party.

Monroe formed his first cabinet entirely of anti-Federalists—that is, of Republicans. It consisted of John Quincy Adams, Secretary of State; William H. Crawford, Secretary of the Treasury; Isaac Shelby, Secretary of War; B. W. Crowningshield, Secretary of the Navy; and Richard Rush, Attorney-General. These men were all distinguished for ability and commanded the general respect and confidence, not merely because of their own fitness, but because of the estimation in which the President was universally held. The administration commenced, therefore, under favorable conditions,—especially in so far as it had the opportunity of allaying the party excitement which had previously kept the country in a state of ferment. That it employed the opportunity wisely is sufficiently indicated by the fact that party feeling soon became moderated. While the advice of Jackson was not followed with regard to the members of the cabinet there was no wholesale proscription of Federalists in the selection of those charged only with administrative duties. These were chosen mainly because of their qualifications, and the result gave general satisfaction. It may be assumed with entire confidence, that it was owing to this that, when Monroe's first term was about to expire, he was unanimously re-elected to the second—a popular compliment paid only to Washington and him.

While the internal condition of the country was satisfactory, much difficulty arose out of our relations with

one of the formidable European powers. Spain owned Florida and was not a little incensed at the United States because we had obtained Louisiana from France, in the face of a treaty stipulation upon the part of the latter power that this should not be done. As a consequence of this ill-feeling the Spanish authorities in Florida encouraged the Seminole Indians to make forays across our southern border and commit every form of devastation, including the murder of the inhabitants. Jackson was sent to punish these savages, and there are very few readers of our history who are not familiar with the manner in which he did it—reflecting honor upon the country and credit upon himself and the gallant army which followed him. His invasion of Florida was a bold and daring act, for which there was an attempt made in Congress to censure him, but which signally failed. He was thoroughly vindicated and justified by Monroe, and measures were soon begun by the administration, looking to the ultimate acquisition of Florida by the United States, as absolutely necessary to the peace and quiet of our southern border. This was consummated by a treaty made February 22, 1819, at Washington City, and signed by John Quincy Adams, Secretary of State, and the Spanish minister.

In making this treaty the error of Jefferson was repeated,—that is, an act was perpetrated wholly without any warrant in the Constitution. Jefferson had failed to accomplish what he desired—an amendment of the Constitution authorizing the acquisition of foreign territory—and Monroe considered the single precedent in the case of Louisiana as full justification for him. In so far as the ne-

cessity for the acquisition of Florida is concerned, it stands precisely upon the same grounds as that of Louisiana—both having been not only necessary but advantageous, in the highest sense—but it left the people of the United States still confronted by the question whether or no any necessity whatsoever can justify or even excuse a deliberate violation of the Constitution. We needed Florida—that is undoubted—and it has become a part of the Union, entitled to as much protection as any of the thirteen original States. But the obligation to administer the government within the limitations of the Constitution has been increased rather than weakened by the extraordinary growth of our population and the infusion into it of heterogeneous and warring elements. Its violation—no matter with what intent—is threatening to the life of the nation;—for if we allow the necessity of to-day to become that of to-morrow, or a new exigency to be created whenever the projects of ambition may suggest it, then some bold usurper may trample the whole instrument under his feet and find examples enough in history to plead in palliation of his treason.

It does not become us, at this day, to speak censoriously of Jefferson and Monroe, on account of their acquisition of Louisiana and Florida. Their offenses against the Constitution have been long since condoned by the whole country and by all parties. Nevertheless, it would be unwise to conceal them entirely from the present generation, in whose hands the interests and future destiny of the country will soon be placed. Scarcely a day passes without the occurrence of something to remind us of our rapidly increasing population, the wonderful devel-

opment of our material resources, the increasing diversity of our occupations, the multiplying tendencies to the increase of corporate wealth and power, and, more than all these combined, the vast increase of immigrants from almost every nation in the world, who import with them principles and sentiments unlike our own, and often in conflict with them. From some of these sources there may possibly,—perhaps probably—arise influences prejudicial to the general welfare and threatening to some of the fundamental principles of the government. If there should, it will undoubtedly be more easy to counteract these influences by guarding and preserving the Constitution in its integrity, than by permitting its continued violation upon the plea of necessity,—a plea which may be made available by them to create new necessities for themselves. If, therefore, the borders of the nation are to be still further extended, under any of the possible contingencies of the future, the Constitution should be so amended, as Jefferson desired, that it may be done, if at all, in consistence with its provisions. Who is wise enough to foresee the effect likely to be produced upon a heterogeneous population, by the continued and persistent violation of our fundamental law?

The most disturbing question which arose during Monroe's administration grew out of the proposition to admit the Territory of Missouri into the Union as a State. The section of country included within the proposed boundaries was a part of the Louisiana purchase, and as the treaty with France obliged the United States to protect all the inhabitants of the ceded territory in their rights of person and property, the question whether slav-

ery should or should not exist there was directly involved. Upon the part of the South it was contended that as the right to hold slaves existed at the time of the purchase, it was among the rights guaranteed by the treaty, and could not be constitutionally violated. Upon the part of the North it was insisted that as slavery was in violation of the moral law, the United States could not give either direct or implied sanction to it without being guilty of an immoral act. Stripped, however, of all generalities, it was neither more nor less than a struggle for sectional ascendancy—a controversy between the free States of the North and the slave States of the South for political power. Everybody now is familiar with the consequences which have since followed this controversy, but even then, when it was comparatively new, it so aroused sectional passions as to place the Union in fearful peril. Monroe was a slaveholder and all his property interests were in a slave State, but he bore himself with conspicuous propriety, if not impartiality, during this exciting sectional contest, and when it was at last settled by excluding slavery north of thirty-six degrees thirty minutes of latitude, there were few men in the country more rejoiced than he. His moderation, upon this as well as other subjects, was well understood by all, and hence, when the controversy was at its height, he escaped censure even from the most excited opponents of slavery. He was not disposed to employ executive power to defeat the will of the nation, where no constitutional difficulties were involved.

With regard to the rules for interpreting the Constitution he had agreed with Jefferson, between whom and

himself the most intimate relations existed. Being unable, therefore, to find, consistently with these rules, any grant of power to Congress to appropriate the public money for carrying on a *general* system of internal improvements, he vetoed a bill for continuing the Cumberland road. Upon this question his argument was elaborate and able,—manifestly the result of much thought and unquestionable honesty of purpose. But it subjected him to severe criticism, especially in the West, where the sentiment in favor of the Cumberland road was almost universal, because, as was alleged, he had stretched the powers of the government entirely beyond the Constitution in order to acquire Florida, as Jefferson had also done in the case of Louisiana—both thereby far exceeding the most latitudinarian construction of Hamilton,—and yet insisted upon so limiting and restricting those powers, with regard to the internal improvement of the country, that its future development should be left dependent upon the States alone, without any aid whatsoever from the National Government. The new States interested in the Cumberland road were occupied by an industrious population, engaged in clearing away the timber from their lands in order to make them productive and profitable, and were consequently not in a condition to be taxed by the States, even for improvements absolutely necessary for local purposes. To them the rules of constitutional interpretation laid down by Monroe—although supported by the authority of Jefferson—seemed incomprehensible, in view of the purchase of Louisiana and Florida. They considered both these acquisitions of inestimable value, especially that which secured the navigation of the Mis-

Mississippi river; but were unable to understand why, after they were made, the National Government should retain the ownership of the public domain within the new States and throw the burden of taxation necessary to the general development and welfare, as well as to increase the value of that domain, entirely upon these struggling populations. They reasoned thus: that if the National Government possessed the power to acquire foreign territory, or to exercise ownership over the public domain within the States,—it must necessarily and logically possess also the incidental power to make interstate improvements, in order thereby to induce emigration from the old to the new States, to increase the value and sales of the public lands, and to add to the general prosperity.

Opinions of this character became so general throughout the West and Northwest that Monroe lost popularity in these sections, and the votes of the new States would undoubtedly have been cast against him at another election. But as his *veto* of the Cumberland Road bill was during his second term, May 4, 1822, the opposition to him did not become violent, because the general estimation in which he was held protected him against any suspicion of the integrity and sincerity of his motives. The consequence was, however, that the question of the constitutional power of Congress to make appropriations for interstate improvements became a more direct issue than it had been previously, and the Presidential election of 1824 was, in a very large measure, influenced by it.

It is well understood that Monroe approved the method of interpreting the Constitution insisted upon by Jefferson, when in Washington's cabinet—which limited Con-

gress to the exercise of such powers only as were expressly granted—denying to it any incidental or constructive powers. It is equally well understood that Washington declined to govern his administration by the advice of Jefferson, but did govern it by that of Hamilton, whereby the rule he established was this: That congressional power was not limited by the express grants of the Constitution, but that it included such implied powers as were necessary to execute the express powers,—as, for example, Congress is expressly granted the power to establish post-offices and post-roads, but unless it had the implied power to appoint postmasters and pay them salaries, and make appropriations for the transportation of the mail, this expressly enumerated power would become inoperative and valueless. During Jefferson's administration there had prevailed what was known as his "strict construction" theory, in opposition to this, and the consequence was that our commerce upon the ocean was left without naval protection, and so at the mercy of foreign powers that war with great Britain, under Madison's administration, was unavoidable, as the only means of vindicating the nation's honor. So that by the time of Monroe's administration it had been well demonstrated that while this doctrine of strict construction and the denial of implied powers to Congress might serve the ends of local politicians, it would, if persistently practiced, prevent the United States from becoming one of the leading nations in the world—the end which the founders of the government hoped for at the beginning. Therefore, we find Monroe in his labored *veto* message—the longest and most labored ever communicated to Congress—compelled to ad-

mit that his mind had undergone some change upon this very question of implied powers. His message contains this paragraph:

“It is contended, on the one side, that, as the National Government is a government of limited powers, it has no right to expend money, except in the performance of acts authorized by the other specific grants, according to a strict construction of their powers; that this grant, in neither of its branches, gives to Congress discretionary power of any kind, but is a mere instrument in its hands to carry into effect the powers contained in the other grants. *To this construction I was inclined in the more early stage of our government;* but, on further reflection and observation, *my mind has undergone a change, for reasons which I will frankly unfold.*”

He meant by this, simply and clearly, that as the strict construction theory of Jefferson would cramp and confine the powers of Congress so as to impede the growth and progress of the nation, he had, upon becoming sensible of that fact, so far changed his mind as to recognize its constitutional power to appropriate money for *national* improvements; leaving, as he proceeded to show, all that were merely *local* to the States. And this he so distinctly stated to be the conclusion he had reached, that even the friends of the Cumberland road were somewhat sparing in their censures of him,—even those who were the most latitudinarian interpreters of the Constitution. The result was that the rule of interpretation generally accepted since then has been—in the words of one of the foremost men of his cabinet—that “whatever is absolutely necessary to the accomplishment of the object of

the grant, though not specified, may fairly be considered as included in it. Beyond this, the doctrine of incidental power can not be carried." And such has been the ruling of the Supreme Court of the United States, which has been followed by all the leading judicial tribunals of the country.

It was fortunate for Monroe that he lived at a time when a change of opinion upon a great public question could be avowed without detraction. It is not probable, however, that he hesitated from any fear of consequences to himself, for he belonged to that class of men who courageously discharge their duty to the country regardless of consequences to themselves. Such men are entitled to honorable remembrance and to conspicuous places in history—far more than those more pretentious to merit, who, in order to preserve a reputation for consistency, persist in error when made conscious of it.

Monroe had to decide a delicate international question which arose during his administration, out of the relations between the government of Spain and the Spanish-American States. These latter, imitating the example of the United States, rebelled against European tyranny and oppression and resolved to enter upon the experiment of self-government. When they had sufficiently demonstrated their ability to maintain their independence, he recognized them as independent nations, capable of entering into relations, by treaty or otherwise, with other nations. At this the monarchical powers of Europe became incensed and entered into an alliance, not only to prevent future revolts, but to put a stop entirely to all revolutionary attempts to establish governments of the people.

Monroe's equanimity was not disturbed by this, but he met the question in a manner eminently becoming a President of the United States, by announcing to the world that this country would not submit to any effort on the part of the allied monarchical powers of Europe to overthrow and plant monarchy in the place of independent popular governments, where they existed upon this continent. This is what is known as the "Monroe Doctrine," but which it would be more proper to call the American doctrine announced by Monroe; for it but expresses the sentiment of the entire nation.

There was an entire absence of anything like vanity in the life of Monroe. This was indicated by his manner and whole appearance; and conspicuously by the fact that, after he retired from the Presidency, he served in the capacity of justice of the peace in the county of his residence. He did this from a sense of duty to the public—from the desire to employ his learning and experience for the benefit of his neighbors, in the humble capacity of justice of the peace, as he had employed them for the nation at large as President. In this inconspicuous position he served with his accustomed fidelity, as he also did for the people of Virginia in the State Convention of 1829, assembled to amend the Constitution,—in which body he and Madison, and Chief Justice Marshall, were able, by their combined conciliatory spirit, to subdue the intemperate zeal of those who threatened a division of the State. When his health began to fail his decline was rapid, and he died in the city of New York, July 4, 1831, aged seventy-two years—having outlived Adams and Jefferson exactly five years, and being prov-

identially permitted, like them, to lie down to his last rest upon the birthday of the nation to whose honor and glory the three had devoted the best years of their lives.

JOHN QUINCY ADAMS



J. Q. Adams

CHAPTER VI

JOHN QUINCY ADAMS

AS MONROE'S administration drew to its close, political parties were re-formed. This did not follow immediately, but rather as consequent upon the condition of the country, which, after the strain occasioned by the Missouri contest, had settled down into comparative quiet. There was no immediate cause of popular agitation, and the lines which had separated the old parties were gradually becoming less distinct. Monroe having modified his original views with reference to the Jeffersonian theory of strict construction and the denial of any implied powers to Congress, there was but little left for party conflict, apart from our relations to foreign powers and the mere management of domestic affairs. And as the Presidency was a position of the highest honor, which many desired to attain, the politicians began to cast about for the control of the election of 1824. The Republican party was greatly in the ascendant, both in Congress and in the departments of government, and the Federal party was nearly extinct,—not existing, in fact, as an organization in any part of the country. The re-formation of parties, therefore, was considered a necessity.

It had been the custom of the Republican party since 1800—when Jefferson was nominated—to entrust the se-

lection of a candidate for the Presidency to a Congressional caucus. In 1824 there was violent opposition to this method; but it is not certain whether this grew out of dislike of the system or the rivalry between candidates. Whatever the cause, it was well understood that the party throughout the country would not abide by a caucus nomination. Notwithstanding this, however, a caucus was held by a minority of the Republican members of Congress, which nominated William H. Crawford, who was Monroe's Secretary of the Treasury. This had the effect of disorganizing the party, and three other Republican candidates were, during the canvass, brought into the contest, namely, John Quincy Adams, Monroe's Secretary of State; Andrew Jackson, and Henry Clay, Speaker of the Congressional House of Representatives. This is the first Presidential contest of which I have any remembrance, and although it was not attended with any special excitement, the fact that all the candidates were of the same party,—there having been no Federal candidate—created jealousies between them which afterwards ripened into positive rivalry. The result was disappointing to all the candidates and their friends. The total popular vote was only 352,062, but six States—Delaware, Georgia, Louisiana, New York, South Carolina, and Vermont—then chose electors by their Legislatures. Of the vote cast Jackson received 155,872; Adams 105,321; Clay 46,587; and Crawford 44,282. The aggregate vote against Jackson was 196,190, so that he had only a plurality of 50,551 over Adams, but fell 40,318 short of a majority of the popular vote cast. There were then 24 States with 261 electoral votes. When these were can-

vassed they were found to be divided as follows: Jackson, 10 States and 99 electoral votes; Adams, 8 States and 84 electoral votes; Crawford, 3 States and 41 electoral votes, and Clay, 3 States and 37 electoral votes. The effect of this vote by States produced the same comparative result as the popular vote—that is, neither had a majority. Jackson had the greatest number of States and electoral votes, but there were 14 States and 162 electoral votes against him—a majority of each—leaving him only a plurality of 15 electoral votes over Adams. No candidate having received a majority of the electoral votes, there was consequently no election, and the duty of choosing the President, under the Constitution, devolved upon the House of Representatives,—each State casting one vote. The final result was that, on February 9, 1825, Adams received 13 votes, Jackson 7, and Crawford 4; and the former, having received a majority, was declared elected.

Adams was somewhat embarrassed by this result. When it was announced to him by a committee of the House he informed them of his inclination to decline, for the reason that one of his competitors had received a larger popular vote than himself, but felt constrained by a sense of duty to accept, because no provision had been made for such a vacancy in the Presidential office as would exist if he did not, and for the further reason that he had been elected in pursuance to the provisions of the Constitution. He is entitled to credit for this frank avowal, as he is also for the commendation he bestowed upon his predecessors, and especially Monroe, under

whom he had so conspicuously filled the office of Secretary of State.

Having been elected as a Republican—although he was called the “coalition” candidate because the Federalists supported him—he followed the example of Monroe in selecting only Republicans for cabinet officers. They were as follows: Henry Clay, Secretary of State; Richard Rush, Secretary of the Treasury; James Barbour, Secretary of War; Samuel L. Southard, Secretary of the Navy; and William Wirt, Attorney-General. When the nomination of Clay came before the Senate it was opposed by fourteen Senators who voted against his confirmation, while twenty-seven voted for it. These negative votes were cast by Republican Senators who adopted that mode of expressing their opposition to both Adams and Clay because of the accusation of “bargain and sale” between them—as it was alleged—whereby Adams had agreed to appoint Clay Secretary of State if the latter, as a member of the House of Representatives, would vote for him. There had been, before the election, a rumor to that effect, and Clay’s acceptance of the office was subsequently regarded by them as confirmation of the suspicions excited by it. It was intended at the time to be—and, in fact, afterwards became—an important factor in favor of Jackson, because of the pretext that this corrupt combination alone had cheated him out of the Presidency. So skillfully was the foundation for this suspicion laid, that it became, in the end, most influential in securing the subsequent election of Jackson and the defeat of Adams. It had much also to do with the defeat of Clay when he afterwards ran for the Presidency.

It is quite certain that there has never been any matter, not involving political principles and policy, which has more materially influenced the fortunes of political parties than this,—a fact which demonstrates, more than any other in American politics, how easy it is for malignant partisans to play upon the prejudices of credulous voters and thereby change the whole course of the nation's domestic policy. A brief review of the precise facts is due to the memory of both Adams and Clay, and will enable the present generation to see how easily mere groundless suspicion may be converted into reality, in the imagination of those who do not hesitate to obliterate the distinction between right and wrong—to obscure the truth and give prominence to falsehood—when the ends of partisan ambition are thereby accomplished.

After it had become known that no candidate had received a majority of the electoral votes, and when the anxiety with reference to the final result was universal, there appeared in the *National Intelligencer*, published in Washington City, of February 3, 1825, an article wherein it was stated, upon the authority of George Kremer—a member of the House of Representatives from Pennsylvania—that “one of the most disgraceful transactions that ever covered with infamy the Republican ranks,” had been discovered and “ascertained to a certainty;” which was, that the friends of Adams had made overtures to Clay that for his aid to elect Adams he should be made Secretary of State;—that, before this proposition was accepted, Clay had proposed to the friends of Jackson that he would support the latter if that position were assured to him, but this was indignantly re-

jected; and that thereupon the "bargain" was actually made between Adams and Clay, which required the latter to transfer his influence to the former and secure his election, for which he was to be rewarded by being made Secretary of State. The direct manner in which these charges were made, and the express declaration by a member of the House that the truth of them had been "ascertained to a certainty," caused intense excitement in the political circles of Washington City, as they did elsewhere throughout the country. Clay was a man of strong impulses, and being keenly sensitive with reference to what concerned his own personal honor, must have felt intensely indignant at this accusation. Notwithstanding this, however, he would have treated it with silent contempt—as prompted only by partisan motives—but for the fact that the charge was directly indorsed by a member of the House of Representatives. Accordingly, on the same day the charge appeared in the *National Intelligencer*—six days before the House voted for President—he addressed the House from the Speaker's chair, and asked that a committee should be selected by ballot, who should be charged with the duty of investigating into its truth. He insisted that this was due not only to himself, but to the House also, inasmuch as the author, a member of the House, "avowed his readiness to substantiate by proof" the charge he had made. To this Kremer, who was present, responded that "he was willing to meet the inquiry, and abide the result;" and thereupon the House, after a very able discussion, appointed by ballot a committee of seven to make the investigation. Manifestly, this committee was chosen with impartiality,

and without any effort upon Clay's part to have any special friend of his placed upon it—for there was none such among its members. Nor was there one from among the eleven colleagues of Clay to vindicate his honor, their own, or that of the State of Kentucky, all of which were involved. The chairman was P. P. Barbour, of Virginia, who was afterwards made one of the Justices of the Supreme Court of the United States by Jackson, and the other members were: Daniel Webster, of Massachusetts; Louis McLane, of Delaware; John W. Taylor, of New York; John Forsyth, of Georgia; Romulus M. Saunders, of North Carolina; and Christopher Rankin, of Mississippi. It requires but a single glance to see that this committee contained some of the foremost men in Congress and in the country

The committee, through the chairman, made its report to the House February 9, 1825, wherein it was said: "That, upon their first meeting, with a view to execute the duty imposed upon them by the House, they directed their chairman to address a letter to the Hon. George Kremer, informing him that they would be ready at a particular time, therein stated, to receive any evidence or explanation he might have to offer touching the charges referred to in the communication of the Speaker, of the 3d inst.; their chairman, in conformity with this instruction, did address such a letter to Mr. Kremer, who replied that he would make a communication to the committee; accordingly he did send to them, through their chairman, a communication which accompanies this report, marked A, in which *he declines to appear before them for either of the purposes mentioned in their letter,*

alleging that he could not do so, without appearing either as an accuser or a witness, both of which he protests against."

Therefore, as the committee said, they could take no further steps, and the attempt at investigation having thus failed, the House, after counting the electoral votes and finding that no candidate had received a majority, proceeded the same day to vote for President, when Adams was elected.

The House must have felt indignant. The author of the charge against Adams and Clay, when the latter asked the appointment of the committee, had declared that "he was willing to meet the inquiry, and abide the result." He then voluntarily put himself in the attitude of "an accuser." But when asked for the evidence upon which he based his accusation, he refused to open his mouth, or to furnish a single scintilla of proof! Instead, he wrote a long communication to the committee, insisting that it had no constitutional power to compel him to testify, and avowing the purpose to submit to his constituents what he had to say upon the subject, as they constituted the only tribunal to which he acknowledged responsibility!

It has not often happened that party managers have had so favorable an opportunity to play the game of political tricksters. Knowing the falsity of the charge of "bargain and sale," and how utterly abortive would be the attempt to prove it, notwithstanding the avowed readiness of the author to do it, they concerted the plan of providing for him an argument to prove that the House had no authority to require him to testify, so that thereafter the partisan press could be employed to give

circulation to the calumny for partisan purposes. The ingenuity of this scheme was attested by the ultimate result, for it constituted the principal charge of party artillery for many years and influenced many thousands of voters, who had not the means, or did not take the trouble, to ascertain the precise truth. It is easy to see now, when all the parties are in their graves, that this story was willfully false and that all the probabilities of the time refuted it. Adams, Clay and Jackson were all men of mark and distinction, each, in his sphere, having served the country with unquestionable fidelity. But Jackson's reputation was that of a great military commander and not that of a statesman. As a member of the United States Senate, he had not exhibited ability beyond the average. But Adams and Clay were both statesmen in the best sense of that term, and had been long associated together in the public service. Why, then, should not Clay vote for Adams for President, and Adams make Clay Secretary of State, without the suspicion of "bargain and sale?" Now, after the story has answered the ends designed by its contrivers, there can be but one answer to this question in all intelligent minds—that is, that each was the proper thing to do.

During Monroe's administration Adams, as Secretary of State, had not only become familiar with the relations between the United States and the European powers, but had adjusted them upon a satisfactory basis,—so thoroughly that his bitterest enemies could not assail him upon that score. His own administration, therefore, was mainly devoted to measures of domestic policy, with a

view to promote the internal prosperity of the country. In his messages to Congress this object was distinctly and expressly avowed. He was successful in this in some important respects, such as the continuance of the Cumberland road, and the undertaking of several other works of internal improvement of a national character. But he had to contend, from the beginning, with the most deadly party enmity. Whether this enmity was directed mostly at him or at Clay has always been a question; but it is fair to say that it was sufficiently so at both of them to have intimidated less courageous and patriotic men. Neither of them, however, was intimidated—there was not a drop of cowardly blood in the veins of either—and any searcher after the truth of our national history will find, upon thorough examination, that Monroe's administration, from beginning to ending, was characterized by the strictest fidelity to the honor and integrity of the nation and the prosperity of the whole country. No sectional sentiment was harbored for an instant, but everything was done, in the power of the administration, to hold the States in perpetual union and advance the "general welfare" of all the people.

This was all accomplished in the face of violent and formidable opposition,—such as would have disheartened a weak and feeble administration. For about the first half of Adams's term he was supported by majorities in both Houses of Congress. But at this time his opponents were actively at work forming combinations against him and preparing to defeat him in 1828. The first thing considered necessary was to form an alliance between the friends of Jackson and those of Crawford, in order to turn

the majority in Congress against the administration, and so to embarrass the government as to render Adams's re-election impossible. There were some difficulties in the way of an immediate consummation of this plan, but when it was discovered that Crawford's health was so broken down that he could not be a candidate again, these were so far removed that an alliance was formed between his friends and Jackson's, with the distinct understanding that they should occupy common ground of opposition to Adams. It was what, in military phrase, is called an offensive and defensive alliance, formed by these two fractions of the Republican party to overthrow a Republican administration. For a time the character of its opposition was not sufficiently determined on to be announced to the public, and consisted mainly of captious objections to every administrative measure. While matters were in this condition the Legislature of Tennessee—in October, 1825—nominated Jackson for the Presidency, and as this was the first step taken in the contest of 1828, it became necessary for the congressional opponents of the administration either to support Jackson or unite upon some other Republican. Then, for the first time, the friends of Crawford, who had entered into the alliance against Adams, began to realize the danger of their being required to play a part they had not anticipated—for they had been opposed to Jackson always,—but when they found Jackson actually a candidate, they decided to support him rather than Adams. Their hostility to Clay had a good deal to do with this decision. He had voted for Adams in preference to Crawford, in the House of

Representatives, and this furnished them with what they considered a proper occasion for punishing him.

A party alliance formed in this way could not, at that time, have any other central point of unity than opposition to Adams and Clay, both of whom belonged to the same party as these allied factions. This was proved by the result, for both before and after the alliance was formed the business of the country was delayed by long and vituperative debates concerning the "bargain" between Adams and Clay, and in opposition to the measures recommended, from time to time, by the administration. The principal charge against it was extravagance—when, in point of fact, we never had a more economical administration, as is now well known—and this resulted in raising, for the first time, the party banner of *reform*. It soon came to be understood, however, that the reform sought after was the congressional control of official patronage, which it was found impossible to obtain under Adams. He had peremptorily refused to remove officers who faithfully performed their duties, merely on account of their political opinions; or to appoint officers who were unqualified upon party grounds alone. And, hence, the conflict waxed warmer and warmer, until it became more animating and exciting than the country had ever before witnessed.

Adams did not permit the course of his administration to be disturbed by this clamorous opposition, although it constantly increased in violence. He understood perfectly his own responsibility and that of Congress, and when the measures he recommended were rejected, he was quite content to let the country decide between him

and his opponents. Of course, he desired re-election, but it has never been charged against him—and if it had it would not have been believed by those who knew him well—that he endeavored to contribute to that result by the improper exercise of his executive functions. In this respect he set an example which, if all his successors had imitated, would greatly have advanced the public welfare.

In adjusting the relations between the United States and the Spanish American States, after the latter had established their independence of Spain, his administration had a delicate duty to discharge. Inasmuch, however, as he, while Secretary of State under Monroe, had conducted the diplomatic correspondence which contains the first recorded mention of the “Monroe Doctrine,” and which led to its announcement in the message of the President, he must have felt that it was his plain duty to follow in Monroe’s footsteps. This he undoubtedly endeavored to do, because he had every reason to believe that the people of the United States would be unwilling to remain passive and see the monarchical powers of Europe subvert existing republics upon the American continent, under circumstances likely to imperil their own. Therefore, when the Republics of Colombia, of Mexico, and of Central America appointed a Congress to be held at Panama, in 1826, and invited the United States to participate, “for consultation upon American interests,” he did not hesitate to accept the invitation in so far as his official authority enabled him—that is, he appointed two ministers to attend this Congress on behalf of the United States. This fact he communicated to Congress

in his first annual message, December 6, 1825. This gave rise to lengthy debates in both Houses, which may still be read with profit, if for no other reason than because they show what instrumentalities were employed to form a party alliance against Adams's administration, by defeating its favorite measures—of which the mission to Panama was supposed to be one, if not the chief. Calhoun, as Vice-President, so constructed the committees of the Senate as to make them adverse to the administration, and the Committee on Foreign Relations reported and recommended the adoption of a resolution declaring the Panama mission inexpedient. The opposition were unable to pass this resolution, but it was made their rallying point, because it was supposed to furnish the most formidable weapons of attack upon Adams and Clay, against both of whom they made common cause. The fact that the administration occupied precisely the same ground as that of Monroe seems to have made no difference, because—as a study of the events will show,—the purpose to defeat Adams in 1828 was stronger and more controlling than the desire to teach the monarchists of Europe that the United States would not permit them to destroy any of the American republics. How strange it must now seem to intelligent minds that this constituted the first rallying-point of opposition to Adams's administration,—the common muster-ground upon which the friends of Jackson and Crawford were to be drilled and disciplined for the contest of 1828! The character of the alliance may be easily seen by any who will critically examine the debates,—more particularly what was said in the Senate, because in that body the discussion

was in secret, and only became public afterwards by the removal of secrecy.

The attack upon the Panama mission was led by R. Y. Hayne of South Carolina, who, among other reasons, saw in it an assault upon slavery in the Southern States, because the South American States had specified the abolition of the slave-trade as one of the subjects of deliberation at the Panama Congress. He took occasion to admonish the opponents of slavery that the South not only did not intend to do anything that would contribute to the abolition of slavery in Cuba and Hayti, but that "the very day on which the unhallowed attempt shall be made by the authorities of the Federal Government" to "interfere" with the "domestic concerns" of the Southern States, they will consider themselves "as driven from the Union." He charged that the "Monroe Doctrine" was in violation of the teachings of Washington, who advised us not to engage in "entangling alliances" with foreign powers. He was sustained by Levi Woodbury of New Hampshire, who opposed the "Monroe Doctrine" because it was a repetition of the "Holy Alliance" of the European powers;—by Martin Van Buren of New York, who aimed his shaft at Clay by insisting that if his advice were followed, "the fair fame of our republic would be tarnished—shame would precede our approach—and disgrace follow in our path;"—by John Randolph of Virginia, whose speech is not reported, but was understood to have been violently denunciatory of both Adams and Clay;—by John M. Berrien of Georgia, who considered that if the principle of universal emancipation announced by the South American States were en-

couraged by sending ministers to Panama, it would soon be imparted to Cuba and other islands of the Antilles, and would incite rebellion among the slaves there, and endanger slavery in the Southern States;—by Mahlon Dickerson of New Jersey; and by Thomas H. Benton of Missouri.

It is most significant—full of suggestive thought—that of these Senators, two—Van Buren and Berrien—became members of Jackson's first cabinet; that two others of them—Woodbury and Dickerson—afterwards served in the same capacity, the former in two departments; and that one of them—Van Buren—became Jackson's successor! The combination was well and dexterously formed. It was the work of skillful hands. But it took three decades and a half for its fruit to become thoroughly ripened,—it having been just that length of time between these speeches—made in secret session of the Senate—and the affair at Fort Sumter! During all the intervening years, the conflict between nationalism and sectionalism raged with continually increasing virulence, and the popular passions boiled and bubbled like a heated cauldron.

The country was scarcely informed of this conspiracy—for such it was—before it was startled by the triumphant victory of sectionalism over nationalism, achieved by means of it. Then, for the first time in our history, a Presidential contest was prosecuted *in the slave States* upon sectional grounds, and resulted in a sectional victory. Of the electoral vote of the twelve slave States Jackson received 105, while Adams received only 6, cast for him in Maryland—north of the Potomac river. The South, therefore, became solid—as the phrase is—before

the country was aware of it; while the North was so divided that five Northern States gave Jackson 72 electoral votes, which secured his election by 125 electoral votes over Adams. And as an essential condition of this formidable conspiracy—without which it would have resulted in failure—John C. Calhoun, of South Carolina, was elected Vice-President on the ticket with Jackson.

There is nothing to show that Jackson was himself a party to this conspiracy, or to justify such an inference. When nominated for the Presidency by the Legislature of Tennessee, he had resigned his seat in the Senate and retired to private life at the Hermitage. Therefore, although it produced a result beneficial to him in the contest of 1828, he is no further chargeable with it than may be implied from his acceptance of the Presidency under the existing circumstances—with full knowledge of the fact that every electoral vote south of the Potomac river had been cast for him, upon the false pretense that Adams's administration, by adhering to the policy of Monroe with regard to the South American States, was preparing the North for an attack upon slavery in the South. Notwithstanding this, however, it may be implied from what afterwards *occurred* under his own administration, that he had no sympathy with the purposes and designs of these conspirators;—for when they supposed that their power had become strong enough to defy the nation and nullify its laws, he struck them such a blow with his executive saber, as shivered their alliance into atoms and made its northern auxiliaries reel and totter like drunken men.

Upon the close of Adams's administration, March 4,

1829, he retired to his home in Massachusetts, where he was not permitted to remain long. In 1831 he was elected to the House of Representatives in Congress, in which capacity he served until his death. In this respect he imitated Monroe, being ready to serve the public in whatsoever capacity it was supposed his experience and ability could be beneficially employed. It was there that I knew him—having served with him during the whole of the Twenty-seventh Congress, and again in the Thirtieth, until he died. I was looking at him when he fell at his desk—the post of duty—February 23, 1848. He died like a true knight, with his armor on, and ready, up to the last moment, to measure lances with any adversary. I had many opportunities of observing him closely, and while I may not have judged him as accurately as others who held more intimate intercourse with him, the impressions I had previously entertained of his character and intellectual power were entirely confirmed. Especially was this the case when he was arraigned before the House for treasonable intent, because he presented a petition from a few citizens of Haverhill, Massachusetts, praying that the Union be dissolved! All that happened during that extraordinary proceeding came under my personal observation, and very few incidents have so impressed my mind as this attempt to fasten the stigma of disgrace upon him, for what he considered a simple and harmless performance of official duty. It was characterized by unusual eloquence and great vehemence upon the part of his assailants, and by wonderful intellectual power and astonishing physical endurance upon his part. Although more than half a century has passed, the whole scene is so well remem-

bered that the principal actors seem now to re-appear in my presence, although not one of them survives.

The petition was presented January 24, 1842, and was accompanied by a motion that it should be referred to a committee instructed to report against the prayer of the petitioners. This, under ordinary circumstances, would have excited neither observation nor comment; for his express disavowal of sympathy with the object sought after—to say nothing of his personal history—ought to have been held as convincing proof that he could have no other purpose than to maintain inviolate the constitutional right of petition. He had, but a few days before, exhibited his sincerity upon this subject by presenting a petition from citizens of Georgia, asking his own removal from the Chairmanship of the Committee on Foreign Relations upon the grounds that he was a *monomaniac* upon the subject of slavery. And after having been told that this was a *hoax*, he still insisted that the petitioners had the right to be heard, and that he also had the right to defend himself if he deemed it expedient against the charge of insanity.

Yet for doing only this, and in the face of his motion condemning the object of the petitioners, the attempt was made to induce the House to fix its censure upon him, and the prosecution with that view was conducted by three gentlemen admirably qualified and equipped for the purpose—Gilmer and Wise of Virginia, and Marshall of Kentucky. They were all men of acknowledged ability—each in the prime of life—and had in the background a reserve force ready to participate actively if required, or to aid in torturing the victim when his limbs were

bound. It does not often occur that one man is set upon by such a combination—so thoroughly organized and admirably equipped. And when it is considered that he was then past three-score and ten years, with tremulous and palsied limbs, and that each of his assailants was in full possession of his intellectual and physical vigor, it is easy to understand that the spectacle was such as not to be easily forgotten. Of all those who witnessed it I know of but two beside myself still surviving, and not one between the Alleghanies and the Pacific. The rest are sleeping—I trust sweetly—while we three are spared for a few more flickering pulse-beats.

Before the vote was taken upon the motion with which Adams accompanied the introduction of the petition, a resolution was introduced by Gilmer to censure him, so worded as to include the imputation of a treasonable intent. This, being privileged under the rules, took precedence of all other questions, and had, consequently, to be considered immediately. The reading was listened to in perfect silence, and as the clear voice of the Clerk rang through the corridors of the old hall, the members gazed in the faces of each other in almost breathless amazement. Adams seemed to be the most indifferent spectator,—the occasion producing no other agitation of the nerves than that which physical infirmity had occasioned. It seemed to me at the time—for being near, I observed him closely—that his face would furnish an instructive study for a skillful delineator. It was as imperturbable as polished marble. In so far as he exhibited the least emotion it seemed to indicate satisfaction, because he could see at a glance that he would be afforded

a fit opportunity—sheltered, as he was, behind the right of petition—to leave such a history of his life as would thoroughly vindicate his loyalty to the Union. Besides this, he must have felt rejoiced that an opportunity would be afforded him to strike back such blows as would make his assailants regret their indiscretion—for he, manifestly, did not belong to the class of men who fulfill literally the Scripture injunction which admonishes that when we are stricken upon one cheek we shall quietly and unresistingly turn the other to our adversary. Accordingly, at his request, the resolution was recognized as privileged—taking precedence over all other business.

Marshall had all that night for deliberation, but I do not think he gave much serious thought to the matter,—for that was not his habit. Whether he did or did not, however, he moved the next day to amend Gilmer's resolution so as to make it declare that Adams deserved *expulsion*, but the House would be content with passing *censure* upon him. The difference was not material to Adams, but Marshall considered it so to himself. He was not jealous of Gilmer, but was of Wise, whom he knew to be behind Gilmer, ready to draw his "Damascus blade" when the fight grew hot, as his knowledge of Adams enabled him to know it soon would. Thus prompted, he supported his motion in a speech of very great ability—exhibiting occasional touches of magnificent eloquence. I do not think I ever heard him surpass, or even equal, it upon any other occasion. Yet it was not difficult to see, before he closed, that he exhibited some signs of apprehension that the work he had undertaken would be likely to increase in magnitude at every step in its prog-

ress,—some fear that the ground might slip away from under his feet. This often happens with those who yield to impulse rather than use deliberate reflection, especially when they encounter adversaries whose strength they have not tested:—such men are sometimes awakened to the reality of their position by harder blows than they expected, and at other times, by the recoil of their own upon themselves. Adams replied immediately, in a style that would have been considered severe had he not been the object of a studied personal attack; but he was fully justified by the circumstances. He declared his unwavering devotion to the Constitution and the Union,—appealed to his whole life spent in their service,—and disavowed without equivocation or mental reservation, any sympathy whatsoever with the object of the petitioners. But he demanded for them the right to be heard by petition, upon any cause of grievance of which they, as citizens, chose to complain. This right, he insisted, was derived from the Declaration of Independence and guaranteed by the Constitution, and could neither be denied nor impaired without a flagrant violation of both. These were favorite topics of his, and he dwelt upon them eloquently and with great effect,—every word touching a chord of sympathy in the minds of a vast majority of his hearers. He demanded that if he was to be tried for the treasonable utterances of others, or for any criminal intent against the Constitution, he should have a constitutional trial by a jury of his peers; which was secured no less to him than to an accused felon arraigned at the bar of justice. He asserted, with great vehemence, that the House had no authority to try him, and boldly defied its powers.

This defiance was expressed in words of burning eloquence. His eyes, his face, his manner, emphasized by the vigorous striking of his hands together—his customary manner of gesticulation—all indicated that intense fires of indignation were burning within. His voice was tremulous with emotion, yet sharp, fierce and piercing;—and if it was not strong enough to fill the entire hall, it was clear enough to make his opponents feel that they had aroused “the lion in his lair,” and that they must put forth all their combined powers of intellect and eloquence to maintain themselves in the encounter they had unwisely invited.

In this first speech Adams, evidently, did not consider that he was entering fully upon his defense. He understood well the combination formed against him; and it was apparent that he intended to deal so skillfully with it that its defeat should become crushing and overwhelming. He intended to draw his enemies, each at his pleasure, into the net he was weaving for them, so that he could deal with them all together or in detail, as the exigency should require,—displaying in this the skill of an adroit military commander. He knew the points at which each was most vulnerable—all the openings in their armor where the point of his spear could enter—and the most certain methods of subjecting their judgments to the dominion of their passions. Therefore when, in measured words, he declared that if the resolution were pressed, he would expose a coalition to re-open the slave trade, he seemed to know beforehand that it would fall among them like a bombshell. And he did not miscalculate. Wise took fire at this defiant threat, and sprang to his

feet in an instant, as if impelled by the force of a galvanic battery. His eyes were like balls of flame. His thin nostrils were distended to the utmost, resembling those of a blooded courser when pressed by whip and spur, and his whole frame was tremulous with intense emotion. His words were impassioned, eloquent, and intensely severe. Although seemingly spoken from momentary impulse, they bore the marks of preparation, and were far more effective than the speech of Marshall. Their force, however, was somewhat impaired by the exceeding violence of his denunciation of Adams,—which proved that the arrows of the latter had not missed the mark they were aimed at. He was not entirely clear in his reference to what he called the French and British parties of 1800, —to the former of which he charged that Adams had united himself by desertion from the party which supported his father. Adams smiled significantly at this, and appeared to exhibit signs of satisfaction that the door was opening wide enough to enable him to make his defense as full and complete as he desired. Intense excitement pervaded the entire hall. The members gathered in little groups, here and there, all conversing with unusual earnestness and interest. When Wise, alluding to the anti-slavery sentiment of which he considered Adams the embodiment, said, in his emphatic tones—“the magazine is under the walls, and the torch of the incendiary may level the beautiful edifice with the dust,” the scene became such as no language at my command can describe—so thrilling was the effect produced by the convulsed orator. Even the coolest men in the House became aroused; and Wise, from physical exhaustion,

being unable to close his speech that day, the House adjourned under the influence of his inflammatory denunciations.

The next day he spoke two hours, with unabated violence and severity, and at the expiration of that time was entirely prostrated, no less by the severity of his labor than by the intensity of his passions. He changed the issue to a personal one between Adams and himself, and thus, unwittingly, threw himself into the lion's mouth. Adams saw this in a moment and pressed the advantage it gave him with extraordinary skill and power. In replying immediately to a portion of Wise's remarks that were severely personal and offensive, he said: "There was, some four or five years ago, a man put upon his trial before this House for murder, who came into it with his hands and face stained with the blood of a fellow member, the blotches of which are yet upon his countenance;"—alluding to the connection of Wise with the Graves and Cilley duel, in which the latter was killed. The deliberate manner in which this was spoken, and the scorn and contempt he exhibited, produced the most intense feeling, which swept over the House with the velocity of an electric current. The retort was tremendously severe, but there was method in the madness which dictated it. His object was not only to return harder blows than he had received, but to contrast his own conduct upon that occasion with the course of Wise towards him, as he had then insisted that the House had no constitutional power to expel and ought not to censure, even for the murder of a member, in the absence of a trial in a court of justice. Wise felt the wound keenly and winced

under it,—for he did not possess the faculty of concealing his emotions. An attempt at explanation made his discomfiture more apparent. A stroke by Adams at Marshall drove him also to an explanation, and he too gave signs that he was hurt—that the shaft of Adams had almost reached a vital point. Both of them were wrought up almost to a state of frenzy,—while Adams, resuming his seat under an apparent consciousness of his power, appeared perfectly composed and unconcerned;—for more than any man I ever saw he had the faculty of seeming so, when, but a few moments before, he had been lashed into a terrible rage. His coolness on this occasion was attributable to the fact that he had measured his antagonists and manifestly had no fears of the result.

There were many in the House who, by this time, became anxious to allay the rising storm, so that public business should proceed, inasmuch as the pendency of the resolution as a privileged question suspended all legislation until it was disposed of. But all efforts with that view were ineffectual, inasmuch as Rhett of South Carolina and Botts of Virginia had succeeded in injecting into the main controversy one of their own, of which Botts availed himself to attack Upshur of his own State, who was then a member of Tyler's cabinet. This devolved a double duty on Wise—both to defend himself against Adams and Upshur against the charge of Botts that he was a disunionist. Wise and Botts were rivals and not upon friendly terms, and therefore the former took occasion to flatly and indignantly deny this serious accusation of the latter. The fires of excitement were freshly kindled by this new and unexpected controversy, and “con-

fusion worse confounded" so reigned that another day was consumed without any result.

The next day Marshall spoke again with great power and captivating eloquence—satisfying himself, as I personally know, for we occupied adjoining seats and he made no effort to conceal his satisfaction from me. But with his usual want of discretion he said some things that stung Adams to the quick and brought from him an immediate reply, which proved that every arrow that struck him gave fresh impulse to his energies. So thoroughly did he become aroused that he did not close that day. In the midst, however, of the general tumult, and with the most intensified passions, his discretion did not desert him, which gave him great advantage over both Wise and Marshall. The more their passions were inflamed the greater seemed to be his delight, and more than once I thought I saw a smile of gratification upon his face when their terrible denunciations of him had carried the excitement to its highest, because he saw in them justification for whatever severity his own passions might suggest. But, notwithstanding the depth of his feelings, he moved forward with admirable caution,—seemingly as if he were advancing upon his enemies with a stealthy and steady tread. In order to prepare the way, he introduced several resolutions calling for information upon matters he considered essential to his defense;—for it was not the least remarkable of the facts that occurred that he appeared as if just preparing for battle after he had drawn the loads from the guns of his assailants, and exhausted their strength,—especially that of Wise, physically the feeblest but intellectually the most formidable

of them all. He accompanied these calls with a brief explanation, not, however, abating his energy and fervor in the least; and it was not difficult to see that he was just getting ready to bring his heavy artillery into action.

Gilmer now felt himself constrained, as the mover of the original resolution, to come to the assistance of Wise and Marshall,—which he did in a speech of two days. He displayed more ability than I had ever known him to do before. But he fell short of accomplishing what he designed—for not being a man of strong and violent passions like his coadjutors, he was ill fitted for such a contest. The fires were hotter than he was accustomed to, and consequently he fell below the demands of the occasion. This, however, was what Adams desired and probably expected,—having forced the controversy to a point he had all along intended it should reach. He then knew his opponents thoroughly,—had discovered what kind of weapons to hurl at each, and where to strike at their weakest points—the spots where their armor could be most easily pierced. The time was nearing when he could allow his passions to break forth more fiercely than ever, and could enjoy the delight of emptying the well charged vials of his wrath upon their heads. And they did soon break forth with terrible vengeance—as charred embers are set ablaze by stirring—and produced an effect surpassing the anticipations even of those who had known him best and longest. He followed Gilmer in what seemed an impromptu speech of two hours—surpassing all he had previously said, in logic, eloquence, and satire. It soon became apparent that he then intended to bring the conflict to an end—that he

had reached a point where he could not only fling his thunderbolts with deadly effect, but thoroughly and triumphantly vindicate his whole life. And he did this so effectively, and with such a surprising exhibition of power, that his prosecutors with all their acknowledged ability and eloquence, were dwarfed into pigmies before him. They appeared like children in the iron grasp of a strong man.

Adams's review of his life was both interesting and instructive. He spoke of his appointment by Washington as envoy to European courts,—his connection with the administration of Jefferson and the reason why he supported it,—his appointment as ambassador to England and to Russia by Madison,—and the devotion he had exhibited to the Constitution and the Union—in such an earnest and impressive manner as to rivet the attention of the entire House and galleries. So anxious were all to hear every word that the stillness was broken only by his peculiar and somewhat shrieking voice. Every eye was fixed upon the extraordinary old man as tremblingly he uttered his words of fiery eloquence and scathing sarcasm. The members gathered around him so closely that they could observe every expression of his face. Lord Morpath, of the British Parliament, had a seat upon the floor near by, and gave marked exhibition of both wonder and admiration. Even Marshall—whose generous impulses could not be entirely extinguished by the fierceness and anger of the combat, expressed admiration of his intellectual power. When he referred to his services at the Russian court, it was impossible to restrain the outburst of applause which followed. He

showed that while at St. Petersburg a number of American merchant vessels were seized for confiscation under royal decrees, and that the confiscation was nearly completed through French influence, under the dictation of the great Napoleon. All Europe was then trembling before this wonderful man, and neither kings nor ministers dared to challenge his imperial will. Adams was the only minister at St. Petersburg who had the courage to remonstrate against the outrage, although merchant vessels of European nations had been seized. To his own mind his line of official duty was plain and clear, and he made no inquiry beyond that. Accordingly he protested, singly and alone, in the name of the United States, and did it with such promptitude and boldness, as greatly to surprise the European diplomats, who had been accustomed to quail before emperors and kings. The consequence was that the sequestration was raised and the confiscation arrested, notwithstanding the threat of war by Napoleon. And there was also this additional consequence, that the action of Russia, occasioned by the policy which followed the American protest, led to the invasion of that country by the French army, the unparalleled calamities that followed its retreat from Moscow, and, at last, to the downfall of Napoleon. Adams's relation of these events was wonderfully interesting and instructive, as they had been hitherto unknown to the members of the House, or, if known at all, had not been given the attention they deserved. He did not close that day.

On the next he continued in the same strain, apparently as fresh, vigorous and intrepid as ever. Neither

the labor he had performed, nor the convulsing excitement through which he had passed, were sufficient to wear him down. The agitated frame, it is true, gave some evidence of weakness and fatigue, but his unconquerable spirit braced him up. There could not have been a grander or more admirable exhibition of courage. Passing from his historic review, he came more directly to the object designed by the resolution of censure, and declared that he considered the liberty of the people and the perpetuity of the Union, as dependent, in a large degree, upon the action of the House;—inasmuch as the denial of the right of petition would imperil both. He spoke all that day,—and again the next,—each blow falling with overpowering effect upon those he denounced as his persecutors. On the succeeding day—the *eleventh* of the great trial—he realized that his work was over and his triumph accomplished. When the proper hour had arrived he rose from his seat with the composure of a conscious victor, and calmly surveyed the scene for a few moments, without uttering a word. What a picture that would have made if the photographer's art had then been sufficiently advanced to catch the scene! He was not exactly like the conqueror who sees all his enemies lying dead at his feet,—but his were completely paralyzed, and exhibited in every gesture and expression a consciousness of his triumph and their defeat. Seeing and realizing this,—with a piercing glance, first at Marshall, then at Gilmer, and last at Wise,—he calmly and slowly said: “I am ready to go on if necessary, but for myself I am satisfied!” The effect was electric. Not a word was spoken in response. A few moments of unbroken silence

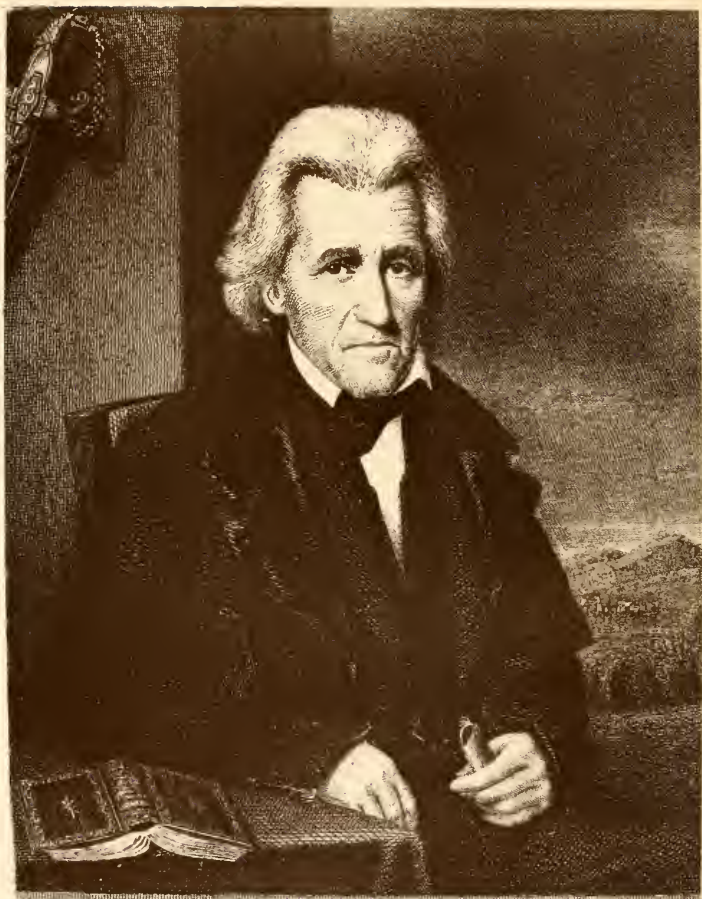
suggested to those present that the time had then arrived for the cessation of the strife. Whereupon a motion to lay the resolution of censure upon the table was immediately carried, and the great trial was ended.

Marshall left the hall openly expressing his disgust, but plainly exhibiting his mortification. His pride was deeply wounded. Gilmer looked the personification of melancholy,—though his face was not of the kind to exhibit fully the working of his mind. Wise, stung deeper than either—because more sensitive—made a hard struggle to assume an indifference he could not feel. And Adams, among them all, was the only one apparently unmoved, although he undoubtedly felt, with the keenest satisfaction, the grandeur and completeness of his victory. He sat for a little while like a statue; and then rising and again glancing over the House with marvelous composure, said: “I have two other petitions like that I introduced the other day—one from New York and the other from Pennsylvania—but owing to the condition in which things now stand I prefer to reserve them for a future occasion!” Not a word was spoken except by himself; and there he stood,—that wonderful man, weak from age and physical infirmity, but strong as a giant in the invincibility of his courage—as completely master of the battlefield as the iron-duke of England was at Waterloo.

The whole bearing of Adams, from the beginning to ending of this extraordinary proceeding, was admirable, and could not have been surpassed. Never did any man appear more like a chafed lion, keeping inferior animals at bay. All the combined energies of his eloquent, talented and adroit adversaries were too feeble for suc-

cessful encounter with such a man. He repelled their assaults as easily as if they had been children, and rose grandly above them. Conscious, all the time, of having no purpose to assail the Constitution or to endanger the stability of the Union, he planted himself, with legitimate pride, upon the record of his long and eventful life, and this enabled him to defy every shaft aimed at him. If any of them reached him they were thrown back with increased force against his enemies—wounding them, not him. His conduct throughout was an admirable exhibition of moral courage—a higher degree of heroism than takes the soldier up to the cannon's mouth.

ANDREW JACKSON



Andrew Jackson

CHAPTER VII

ANDREW JACKSON

THE alliance formed by the friends of Jackson, Calhoun, and Crawford, to defeat Adams in the Presidential contest of 1828, especially desired to procure a new name—believing that much depended upon it—but had much difficulty in doing so. Hitherto there were only Republicans and Federalists, but Adams had given better proof than any of those combined against him that he belonged to the former. He had supported the administrations of Jefferson, Madison and Monroe,—embracing a period of twenty-four years—and his own administration was made conspicuous by the fact that he was endeavoring to follow in Monroe's footsteps—which the parties to the alliance were endeavoring to prevent, because of the persistent efforts of Monroe and Adams to send diplomatic representatives to the Congress at Panama. His was, therefore, a Republican administration, as Monroe's had been, and for that reason they desired to overthrow it. Consequently, as they could not fight under the banner of Federalism—which they supposed would assure their defeat—they were compelled to christen their organization by some other name than Republican. When it was first proposed to adopt the name Democratic, those from the extreme South—the followers

of Calhoun and Crawford—objected, for the reason that it embodied the ideas of equality of citizenship and universal suffrage, which they considered threatening to slavery; because if the non-slaveholders in the South were all permitted to vote, they would dictate the policy of the slave States and ultimately emancipate the negroes, as the most effective method of solving the labor problem.

Calhoun was at the head of this alliance. He had a strong and influential following, although not sufficiently so to prevent the adoption of the proposed name. In consequence of his opposition, it required a good deal of cozening in the South to make it acceptable; and it only became so because it had a broad and general and not, in any accepted sense, a specific significance. In order to give it weight and influence, it was found necessary to add prefixes to it by way of explanation; as, for example, it was called "Jefferson Democracy" in the South—notwithstanding Jefferson was always a Republican—and "Jackson Democracy" in the North. The leaders of the alliance considered these qualifications sufficient to answer their ends, inasmuch as, on account of their indefinite meaning, each section could employ its own interpretation. Consequently, among the followers of Calhoun and Crawford in the South, "Jefferson Democracy" was held to mean ultimate nullification, as Jefferson was the author of the Kentucky resolutions of 1799, which asserted the right of a State to nullify an unconstitutional act of Congress. Whereas, in the North, "Jackson Democracy" was understood to mean whatever was expedient in each locality, but, everywhere and under all circumstances, uncompromising hostility to Adams and

Clay. And this method of conducting the canvass was made easy by the fact that there had never been, up till that time, a Presidential National Convention and no "platform" of principles announced. It was the first introduction of the confidence-game into our party politics.

There is nothing to show—or to found a fair suspicion upon—that Jackson was a party to this combination, although it resulted in his election to the Presidency. After he resigned his seat in the Senate he retired to the Hermitage, where he remained in comparative quiet, and left the politicians to form their plot under the guidance of those who expected to benefit themselves more than him. In fact, his election was, with them, a secondary consideration,—a mere incident to that of Calhoun as Vice-President, upon the same ticket with him. If that had not been reasonably assured beforehand, the contrivers would have left Jackson in his retirement and varied the plan of their alliance accordingly.

Nor is it probable that Jackson had been informed of this conspiracy when he constructed his first cabinet,—for it did not take long to demonstrate that the materials composing it were so incongruous that even his strong will could not bring them into harmony. The schemers were too shrewd to expose their plans thus early. That cabinet was composed of Martin Van Buren, Secretary of State; Samuel D. Ingham, Secretary of the Treasury; John Branch, Secretary of the Navy; John H. Eaton, Secretary of War; John M. Berrien, Attorney-General; and William T. Barry, Postmaster-General;—the last having been made a member of the cabinet for the first time. Of these, it has always been well understood that

only Eaton and Barry could be relied on as distinctively the friends of Jackson. Van Buren, Branch and Berrien had been supporters of Crawford in 1824, and Ingham was the selection of Calhoun. Such a cabinet could not have been formed in any other way than as the result of the combination to defeat Adams, for with regard to affirmative measures of government policy it was absolutely discordant,—so thoroughly so that Jackson, with all his indomitable will and courage, soon found it impossible to hold it in unity. If he had known the plot which antedated his election in all probability he would not have made this attempt, for when he did discover it, he promptly displayed the heroic spirit of one who feels himself “born to command,” as he was in fact.

I first saw Jackson at Nashville, Tennessee, January 8, 1827,—over sixty-six years ago. As he was then a candidate for President, the occasion was the celebration of his memorable victory at New Orleans, by which he had fairly won the distinction of a great general. His appearance on horseback, as he rode through the streets of the city, gave rise to immense applause. I had never before seen so excited a multitude, except upon a single occasion, about three years before, when General La Fayette reviewed a line of Revolutionary officers and soldiers at the place of my nativity, and when every voice, old and young, was made hoarse by shouts of welcome. New, however, as the scene was to me, I saw and heard enough to assure me of the firm grasp he had upon the confidence and affections of his friends, and was impressed at once with the idea that he belonged to the class of men upon whom nature impresses the stamp of greatness.

He was an admirable and graceful rider, seeming to take pride—as all good riders do—in the noble animal that bore him. His natural gracefulness of manner was peculiarly striking.

I saw him again at his inauguration in Washington City, March 4, 1829. The assemblage upon that occasion would not have compared in number with similar gatherings of the present day, yet it was considered large. The population of the capital was then so small as to justify the remark of John Randolph that it was a “city of magnificent distances.” There was then no railroad, and but a single line of stage-coaches between it and Baltimore. I went there, consequently,—as hundreds of others did—upon horseback, prompted not alone by curiosity, but by the desire to witness an important and interesting ceremony. I had seen Jefferson, Madison, and Monroe, after their retirement and in their quiet ways of life, without the insignia of office about them, and had learned to look upon them with feelings somewhat akin to reverence, and this excited in my mind the desire to see an actual President and to witness his induction into the elevated office which Washington was the first to fill.

The oath of office was administered by the venerable Chief Justice Marshall, whose general appearance was not calculated to impress one with a just idea of his greatness, but who was, however, by general consent, recognized as the first of American jurists. He repeated the constitutional oath in a low and feeble voice, so that it could not be heard many feet beyond the steps of the eastern portico of the capitol. His words were spoken slowly,

and with such deliberation as to give to the occasion a suitable degree of solemnity. Jackson's manner of touching the sacred volume with his lips sufficiently indicated that he considered the ceremony something more than mere form. Having taken the oath, he delivered his brief inaugural address in an impressive manner—both graceful and dignified. His voice was not loud enough to be heard by all present, but as I was fortunate enough to obtain a favorable position, I was within its reach. It was clear and distinct, every word having been expressed with proper emphasis. His manner was faultless—not strained, but natural. There was no exhibition of pride or ostentation—no straining after effect or false show. In his whole bearing there was an exhibition of that self-reliance which the possessor derives from the inward consciousness of strength, but which, at the same time, is neither presumptuous nor distasteful.

It has been often charged that Jackson's inaugural address was not his own, but was prepared for him by others. That there were others who desired this privilege is sufficiently shown by the character of the combination they had made before the election, but that they were not indulged I am well assured, satisfactorily to my own mind. There came into my hands, some years ago, in consequence of the death of the gentleman to whom they were addressed, a number of private letters, some of which were written by Jackson himself, and others by those especially prominent among his friends. The full contents of these can never be known to the public, because they were written in the unreserve of confidential correspondence, but I feel justified in asserting that they

entirely refute this insinuation. He prepared the address before leaving the Hermitage for Washington City. When he reached there he submitted it to several of his friends, which it was entirely proper to do. Among these there was one for whom he entertained the highest respect, and who expressed himself as not altogether satisfied with it—at the same time suggesting that it might be improved. It was accordingly placed in his hands for that purpose, and he, after due consideration, proposed the alteration of some of its important parts and returned it. Jackson gave to these suggestions the consideration they deserved—for the gentleman who made them was, besides being a man of eminent ability, a disinterested friend—but, after full deliberation, gave the preference to the address as he had originally written it. It was, consequently, delivered in that form, with the exception of a few lines he deemed it expedient to add after he reached the capitol.

The Virginia supporters of Jackson were dissatisfied with his first cabinet—as I well remember—and made loud complaints, but, probably, not to him. The habit of looking to Virginia for Presidents and cabinet officers had prevailed so long that they were troubled to discover some cause for the slight, for such they regarded it, especially in view of the fact that Adams had at one time two Virginians in his cabinet, and one during his whole administration. When, however, they came to consider that, at the election of 1824, Jackson had received in that State less than 3,000 out of nearly 12,000 votes—that Crawford carried it by more than 5,000 over him, and that he even ran behind Adams, they were inclined to suspect that, notwithstanding the large majority he obtained the pre-

vious year, he intended to exact from them some additional evidence of their fidelity to his administration. But there were other reasons for this apparent neglect of the Virginians which they did not, at that time, suspect, and which, if they had known all the facts, they could have traced to the combination for the defeat of Adams. They were recognized as parties to that combination only in so far as they were expected to contribute to that defeat; but the real motives and purposes which dictated it were unknown to them. These are now easy of explanation, and being explained will show very clearly two important facts, first, that the object designed was unknown to Jackson himself, and, second, that when he discovered it he turned upon the plotters with terrible vengeance.

Monroe, with Adams as his Secretary of State, had endeavored to signalize his administration by teaching the European powers that the United States would not submit passively to any interference by them with republican institutions upon the American continent, and in order to accomplish this had insisted upon sending ministers to the Congress of Panama. For attempting this his administration was violently assailed, for the reason, among others, that an alliance with the South American republics would tend to the suppression of the slave trade, the abolition of slavery in the West Indies, and ultimately in the United States. The pretended belief that these results were contemplated by Monroe and Adams, during the former's administration, and by the latter alone after Monroe's retirement, constituted the most controlling reason for the combination to unite the South,

first under the leadership of Hayne, in the secret discussion in the Senate, and afterwards under that of Calhoun. And having been so far successful as to elect Calhoun—the head and front of the conspirators—Vice-President; and so to mislead Jackson as to get two others of the original conspirators—Van Buren and Berrien—in his cabinet, along with another—Ingham—as a special friend of Calhoun, it is not to be wondered at that they felt strong enough to get along without the Virginians, who they feared would, if they fully exposed their hands, go to the support of Monroe, if not of Adams, inasmuch as they had never been friendly to Jackson but had supported Crawford in preference to him. Besides, Virginia had always opposed the slave trade. Washington and Madison had voted for suppressing it in the Constitutional Convention, and both of them had continued their opposition to it during their respective administrations. Jefferson had done the same thing. So that the combination which had produced Jackson's election was not simply opposition to Monroe and his policy, but also to the doctrines taught by the leading Virginia statesmen from the foundation of the government. Still more,—there was a controversy then in progress in Virginia which, that same year, resulted in extending the right of suffrage to tax-payers instead of confining it to the owners of real estate, as had been done before that time; and as it was supposed by the conspirators that this would be threatening to the institution of slavery, they did not consider a close alliance with the Virginians as necessary to their ends—which they considered themselves fully able to accomplish without their assistance. Having ground-

ed this belief upon their success in getting so many of their allies into Jackson's cabinet, and upon the supposition that they would continue to control the policy of his administration, they were cheered and enlivened by confidence of complete future success. And under these circumstances Jackson's administration began.

In addition, however, to the dissatisfaction among the Virginia politicians, there were also real or imaginary grievances elsewhere, especially in the North;—for they were unpracticed politicians who did not see that the richest fruits of the Presidential victory were gathered by the friends of Crawford, while only a small portion was left, here and there, for the original friends of Jackson. These disaffections, slight at first, grew in magnitude, until the administration was driven to the necessity of appeasing the several factions of the party by so employing the patronage of the government as to give to each faction what it considered its due reward. This must have embarrassed Jackson, inasmuch as he could not have forgotten his letter to Monroe, wherein he advised him “to extinguish that *monster* called party spirit.” Nevertheless, his surroundings were peculiar—arising mainly out of the fact that the politicians had so increased the greediness for office that greater multitudes flocked to Washington than had ever been known before. These friends of Jackson—real or professed—insisted upon an equal distribution of the government patronage, as necessary to maintain the administration, and he finally yielded to the pressure,—which few men similarly situated, could have resisted,—although, in doing so, he had to depart from the example of all his predecessors

and disregard his own advice to Monroe. It is hardly to be supposed that he anticipated the consequences which have followed. On the contrary, it is simple justice to him to concede that he felt himself constrained to yield to the importunities of his friends, because there were many reasons why he should regard those who urged him to this course as not only faithful to him and his administration, but to the government as well. Whatever the motives which influenced him, however, it can not be denied that his example led almost immediately to evil and injurious consequences. Washington made nine removals from office; John Adams two; Jefferson thirty-nine; Madison five; Monroe nine, and John Quincy Adams two; making a total of sixty-six in the whole forty years of the government. Whereas, the desire of the politicians for the use and control of official patronage under Jackson incited so strongly a corresponding desire for office among their followers, that between the inauguration and the next meeting of Congress—about nine months—the number of removals and appointments, including postmasters, more than quintupled the whole number between the beginning of the government and that time.

While it is true that the responsibility for this condition of things rested, in a large degree, upon Jackson,—as it has, under like circumstances, upon other Presidents since—yet it is equally true also that the larger share of the blame, in all such cases, should fall upon the politicians and those who, with their eyes open, confer power upon them. They desire the government to reward *their* friends, and measure fidelity to it by the extent of serv-

ices rendered to themselves. The advancement of their own political fortunes is the inciting and primary cause of their appeals to a President, and when he declines to act so as to accomplish this, his administration is left to be buffeted by the storms its adversaries create, without their assistance. Jackson did not suspect, when he constructed his first cabinet, that his administration could be induced to discriminate against his original friends and in favor of those of Crawford, or, in all probability, he would have pursued a different course. Therefore, when he was brought to realize that a state of things existed entirely unlike what he desired, he must have felt constrained so to employ his official patronage as to bring these two conflicting party elements into harmony. If it had merely required courage to do this, he had a sufficiency of that for the purpose; but besides any considerations personal to himself, he was manifestly controlled by the desire to unite his friends in a compact organization, not only to maintain his own administration but to promote what he believed to be the welfare of the country. If he had refused this many of his original friends would have withheld their support from his administration, not because they desired office for themselves, but because they would have suspected his fidelity. So that, viewing the matter as it must have then appeared to him—and not merely as it now appears to us—the grounds of objection to his course are considerably narrowed. It only becomes otherwise when we judge of the effect which has reached our own time, when we see steadily increasing in number those who ungraciously receive a letter from a post-office carrier who does not vote their party ticket! To say of

Jackson that he began this, does not remove censure from those of all parties who have accepted his example as the law of their own action, any more than one man can justify himself for his own errors by pleading in self-defense the errors of others. The politicians were to blame under Jackson, and will be in the future under other Presidents, unless the great body of the people shall apply the corrective. They alone can do this. Whether they will or not—*nous verrons*.

A discussion of the measures of Jackson's administration, and the principles involved in them, would afford but little profit now, except to those who wish to ascertain the true rules of constitutional interpretation. In so far as I was myself concerned they were disapproved by me—almost *toto cælo*,—yet, at the same time, I did not allow myself to question the integrity of his motives or his purpose to do what he believed to be best for the public welfare. I was encouraged in this by himself under circumstances never forgotten by me. My father was the friend of Jackson—though not a politician. Upon one occasion I accompanied him to the White House when he called to pay his respects to the President, feeling some little trepidation at the idea of appearing before one whose *sobriquet* of "Old Hickory" was suggestive of something I was too young to explain. I was a mere "looker on" at the interview, which could scarcely be called political in any proper sense, and soon congratulated myself that what I had previously dreaded was in fact pleasant and profitable to me, because it enabled me to form an estimate of Jackson which ever since

has been retained. Just as I felt that I had become sufficiently composed to store away for future use some of the thoughts expressed by the "old hero," my equanimity was almost entirely upset by the attempt of my father to explain to the President that I was inclined to disagree with him in politics, and as he had not fully succeeded in impressing his opinions upon my mind, he feared mine would continue to be in conflict with his. I was somewhat embarrassed at this, because of the apprehension that I should be lectured for disobedience to parental instruction. Instead of this, however, he approached and placing his hand upon my head said, in a kind and gentle tone of voice: "My son, I have no advice to give you about your politics, except this,—always think for yourself and let your conscience be your guide." I could not be otherwise than strongly and deeply impressed by this advice; and from that moment until now I have held him in such estimation that during sixteen Presidential campaigns in which I have taken an active part, in opposition to the political principles he professed, I have never allowed myself to be betrayed into an expression of unkindness toward him, but have invariably, upon all suitable occasions, defended the honesty, integrity and patriotism of his motives. This incident deserves to be related, because it shows that a man who could be imperious when the occasion required possessed, at the same time, such underlying sentiments of kindness and sympathy as dignify human nature. The advice he gave me was good then and is good now. He who follows it may sometimes err, but it will always constitute for him

the safest guide in such matters as involve his own and the general welfare.

The disruption—for such it was—of Jackson's first cabinet was of more significance than is commonly supposed. It was understood at the time that it was brought about by those who were chiefly instrumental in producing his election, and had succeeded in getting into his cabinet several who sympathized with them, and one of whom—Berrien—had opposed the mission to Panama under Adams's administration, expressly upon the ground that an alliance between the United States and the South American republics would tend to the suppression of the slave trade. By that time they had discovered that Jackson had a will of his own, and could not be used by others for their own selfish ends; and, therefore, they conceived the purpose of withholding their support from his administration, with the hope of being able to elect a President at the next election, in 1832, over whom they could obtain complete dominion. Jackson had said in his first message that a President ought not to serve longer than one term, and had recommended an amendment to the Constitution prohibiting a re-election; and this induced them to begin the formation of a new combination designed to control the next nomination or to defeat Jackson if he should become a candidate again. The principal step in that direction was to produce a breach between Jackson and Calhoun, in order, as was then supposed, to make the latter the successor of the former, and leave the slave trade as it was then carried on, entirely undisturbed, under the pretext that if it were interfered with slavery in the South would be imperiled. In some

way—never fully explained—a correspondence between Jackson and Calhoun was contrived with reference to the course of the latter pending the proposition in Congress to censure Jackson for his invasion of Florida, and his conduct generally during the war against the Seminole Indians. In this step—by whomsoever contrived—much sagacity was displayed, for it had the effect designed by so completely estranging Jackson and Calhoun from each other that they were never thereafter reconciled.

The next step necessary to the contemplated end was the disruption of the cabinet. This required greater caution, inasmuch as if it had been accomplished by the mere withdrawal of those members who were parties to the original combination, or influenced by it, not only would they have been condemned by public sentiment, but the main plot would have been discovered and exposed. Therefore, as there was no question of politics of which they could avail themselves with safety, one involving social etiquette alone was invented. The wife of Eaton—Secretary of War—was objectionable to the wives of the secretaries who were parties to the conspiracy, and they refused either to visit her or receive visits from her. Of course, the public took no interest in so trivial a matter, but the conspirators were none the less active on that account. They carried it so far that Jackson took sides with Eaton and his wife, and the controversy, consequently, waxed so warm that the former, in order to lighten the pressure upon the administration, resigned. The resignation of Van Buren—Secretary of State—soon followed, for reasons which nobody understood but himself. The spirit of Jackson had by this time become aroused,

and there was a short period when he declined to convene the remainder of his cabinet for consultation, which gave rise to the charge that government affairs were conducted by a "kitchen cabinet." He did not, however, allow this condition of things to continue long, but boldly put an end to it by intimating to Ingham, Branch and Berrien that their resignations would be accepted—whereupon they, too, retired, leaving Jackson, for a time, without a cabinet. But he was not the kind of man to quail under such a combination of circumstances. On the contrary, he met the issue with his indomitable will and courage, and soon had so many evidences of popular approval that he decided, notwithstanding his recommendation with regard to a single term, to be re-elected in 1832, if possible, as his own successor. He accordingly reconstructed his cabinet late in 1831, out of entirely new men—thus making the issue between him and the conspirators so conspicuously prominent that it could not be misunderstood. This cabinet was as follows: Edward Livingston of Louisiana, Secretary of State; Louis McLane of Delaware, Secretary of the Treasury; Lewis Cass of Ohio—afterwards of Michigan—Secretary of War; Levi Woodbury of New Hampshire, Secretary of the Navy, and Roger B. Taney of Maryland, Attorney-General. In the selection of this cabinet he displayed great wisdom, for, in point of ability, it has not often been equaled.

The politicians were mainly interested in the events which followed, in so far as they bore upon the positions and fortunes of individuals. Van Buren had committed himself in opposition to the mission to Panama, because, as was believed, he sympathized with those who objected

to an alliance with the South American republics, upon the ground that they favored the suppression of the slave trade; and his resignation of the office of Secretary of State was regarded, for a time, as favorable to those who were rapidly becoming the enemies of Jackson and the friends of Calhoun. His cunning, however, did not desert him; and in order to avoid the responsibility of directly committing himself upon either side of the controversy, he prevailed upon Jackson to send him as minister to Great Britain. When his nomination for this office, however, came before the Senate, he was rejected—the first instance of such a rejection where the minister was serving at the court to which he was appointed by the President. Upon his return to the United States he found the issue between Jackson and his enemies so distinctly formed that he was compelled to take one or the other side. He did not hesitate long, but adhered to Jackson—leaving his old associates, with whom he had conspired against the South American republics, to shift for themselves. His object undoubtedly was to obtain the nomination for the Vice-Presidency upon the same ticket with Jackson, so as to acquire a reasonable assurance of the successorship to Jackson at the end of his second term, provided he should be successful in the contest of 1832. In both these objects he succeeded—having been nominated for the Vice-Presidency, at Baltimore, in May, 1832, by the first Democratic or Jackson National Convention ever assembled in the United States. As there was no declaration of principles both candidates ran upon the same “platform”—that is, the merits of

Jackson and the demerits of Calhoun, who could no longer be tolerated as Vice-President.

The result of the election was a great triumph to Jackson,—he having received 219 electoral votes to 49 given to Clay, while South Carolina, refusing to vote for Jackson, cast her 11 votes for Floyd of Virginia, and Vermont her 7 votes for Wirt, who was the candidate of the anti-Masons. The position assumed by South Carolina, under the lead of Calhoun, was intended to widen the breach with Jackson by the creation of a sectional party in the South, under the same pretext that led to the original conspiracy that elected Jackson in 1828, that is, that, by means of Northern aggression, slavery in the South was threatened. In order to effect this South Carolina passed several laws and ordinances, whereby the authority of the National Government was defied, and finally went to the extent of preparing, by military organization, to resist that authority. With that view her nullification ordinance was passed, declaring certain laws of the United States absolutely null and void within her borders. This was done manifestly with the expectation that the slave States would all unite, and that Jackson would be left either in a helpless minority or be compelled to look only to the North for the support of his administration, in which event the Southern or slave States would declare the Union dissolved and create a Southern Confederacy composed of slave States alone. There was a faint effort at the time to deny this, but subsequent events have verified it.

Jackson was not deceived by the pretext that South Carolina proposed to act within the Union, for, by this

time, his eyes were opening to the actual condition of affairs. He could see that the conspirators who had contributed to his election claimed the prerogative right to dictate the policy of his administration, so as to make it correspond with their own sectional views and objects, regardless of the national welfare; and resolved, without any delay, to exercise all the executive power the Constitution had placed in his hands to disentangle himself from any alliance with them, and teach them that the Union must and should be preserved at every hazard. Accordingly, on December 11, 1832—less than six weeks after his re-election—he issued his celebrated Proclamation, wherein he condemned as disloyal all the nullification proceedings of South Carolina, and declared them to be “incompatible with the existence of the Union, contradicted expressly by the letter of the Constitution, unauthorized by its spirit, inconsistent with every principle upon which it was founded, and destructive of the great object for which it was formed.” He had previously made brief reference to the condition of things in South Carolina, in his annual message, December 4, 1832, and his proclamation was followed, January 16, 1833, by what is known as his nullification message, wherein, after avowing “that the supremacy of the laws shall be maintained,” he declared that if the acts and ordinances of South Carolina “can not be defeated and overcome by the powers conferred by the Constitution on the federal government, the Constitution must be considered as incompetent to its own defense, the supremacy of the laws is at an end, and the rights and liberties of the citizens can no longer receive protection from the government of

the Union." And, referring to the asserted right of a State to nullify a law of the United States—as was claimed by the Kentucky resolutions of 1799, of which Jefferson was the author—he emphatically said: "The right of the people of a single State to absolve themselves at will, and without the consent of the other States, from their most solemn obligations, and hazard the liberties and happiness of the millions composing this Union, can not be acknowledged. Such authority is believed to be utterly repugnant both to the principle upon which the general government is constituted, and to the objects which it was expressly formed to attain."

For the expression of these patriotic sentiments Jackson was denounced by the nullifiers, as directly opposed to the "Jefferson Democracy," to which it was claimed he had committed himself by the combination which elected him in 1828. But he was in no sense intimidated by their threats, nor did he in the least shrink from the responsibilities of his position. On the contrary, he pursued the course marked out in his proclamation and message, with such unflinching courage as commanded the admiration of the world. And now, as the present generation look back to that period and observe the steadiness of his devotion to the Union, there are none willing to withhold an expression of admiration for his patriotic conduct, except those who, to accomplish the ends of their ambition, would pull down the government and revel among the fragments of the wreck.

The manner in which Jackson bore himself during those troubled and stormy times developed qualities he had not previously been supposed to possess, and which as-

sured the country that he did not intend his administration to be impressed by any other will than his own. Even in private life occasions sometimes occur when individuals exhibit qualities unobserved before, and which bring about new developments of character. Whether this was the case with him, at the crisis of his administration referred to, is immaterial, inasmuch as the country was brought at once to a realization of the fact that *he* was President, and none else beside him. If any of the politicians had entertained the expectation, or even the hope, that they could use him for purposes not approved by his own conscience, that idea was dispelled, first, by the dissolution of his cabinet and again by his proclamation and nullification message. By these means he made himself the representative of a power throughout the country which centered in him as in no other man; and from that time he became the chief figure in national politics, and stamped his name indelibly upon our political history.

It has been said that he did not write either his proclamation or nullification message. Whether he did or not, is of no consequence whatever, because he made them his own by signing his name to them, and to him belongs the credit of every sentiment they contain. The farewell address of Washington was said not to have been all his own; and Jefferson has been charged with plagiarizing part of the Declaration of Independence. Members of Congress and State Legislatures have made speeches and reports prepared for them by others. I have myself known the Governor of one State to send a message to the Legislature several pages of which were written

by another; and the Governor of another State, not only to accept, but to boast of a public document of which he did not write a single line. But whether these important documents were written by Jackson or not does not concern us half so much as to know their great merit as state papers. Thus considered, it is not believed there are many in our day who will risk their reputation by assailing the principles these announced. That he possessed a mind of great strength and vigor—capable of producing them—is beyond any question. His early education was necessarily defective, owing to causes well understood, but he wrote with perfect accuracy, in a bold hand characteristic of himself, and scarcely ever made an interlineation or erasure,—which can be truthfully said of but few of the most distinguished literary men. His private letters which came into my possession bear the impress of much thought, clear and accurate judgment, and conclusions sagaciously drawn from his premises. There is nothing in either the proclamation or nullification message that might not have been expressed by him in his own clear and emphatic style, and if their accuracy of composition was owing to the polished pen of Livingston, his credit should be none the less on that account.

I must not here discuss the political doctrines associated in history with the administration of Jackson, or attempt to explain why, with all my admiration for him, I have invariably opposed them. They belong to the past, and are to be found only in the pages of our common history. The few who were once actively engaged in affirming and denying them will soon cease entirely to engage in party or

other strife, and it is becoming in us to bury with the illustrious dead all the animosities engendered by excitement, and to do full justice to their memories. Jackson was a great man—stamped as such by nature, as all could see who looked upon his stately figure and manly bearing, and his frank and expressive countenance. Endowed with a courage which no adverse circumstances, and not even the most imminent peril, could shake, he avoided no just responsibility and evaded the performance of no act which seemed to him to lie in the line of duty. With a kind heart—filled to overflowing with generous emotions—he was true to his friends and firm in his friendship. His heart was “open as day” to acts of benevolence and charity, and the unfortunate were never turned away from his door. Honest himself, he was unsuspecting of wrong or faults in others, and was, on that account, liable to be imposed upon. He bore patiently the remonstrances of those who shared his confidence, but never submitted unresistingly to the censure of enemies. He loved the country with true and fervid devotion, and if he committed errors—which the best are unable to avoid—they sprang from no want of the resolute purpose to do what he believed to be right, as his own conscience taught him the right. Others, far more than he, were chargeable with much that during political excitement was laid at his door. He has left the example of a life ended with Christian confidence and resignation, and a most beautiful and touching lesson in the unceasing devotion with which he proudly cherished, to the last moment of life, the memory of his wife. And after his race has been so well and successfully ended, and

only a few of those who held personal intercourse with him are remaining, it is becoming in us all—and is a source of satisfaction to me—to cherish a kindly remembrance of his virtues, and to impress upon the minds of those subject to our influence a just admiration for his patriotism and uncalculating devotion to the Union.

MARTIN VAN BUREN





Mr van Buren

CHAPTER VIII

MARTIN VAN BUREN

IF the attempt were made to classify the Presidents, it would be properly done by regarding the first seven as belonging to the Revolutionary period, because five of them were actual participants in its events, and the other two—John Quincy Adams and Jackson—imbibed its sentiments by actual association with the men of the Revolution, both having been born the same year, 1767, before the Declaration of Independence. This would warrant the designation of all the successors of Jackson as Post-Revolutionary Presidents. And this classification would seem otherwise justified by the fact that when Van Buren became President other and counteracting influences had arisen, calculated to impair the value of the Revolutionary example, and which did so in fact by the introduction of new methods of organizing and consolidating political parties.

The events which led to the disruption of Jackson's cabinet produced consequences which conspicuously influenced the political fortunes of individuals. Calhoun had been elected Vice-President upon the same ticket with him in 1828—having fallen short of his vote only 7, which he lost in Georgia. But the administration was scarcely under way before there were signs of disaffection

among its supporters—manifestly the result of personal plottings for the control of the executive patronage. The generous and kindly nature of Jackson was imposed upon by these schemers, who concealed their intrigues from him because of the fear that if they were known he would turn upon them in his wrath. Their first fruits were gathered in the dissolution of the cabinet, which had to be reconstructed before the end of the second year. A question of social etiquette and official ceremony was made the pretext for this, but that was of inferior import compared with the actual moving and controlling causes, which were well understood by the initiated but studiously concealed from the public. They subsequently became well known and are now easily explained. Jackson, in his first message, had recommended an amendment to the Constitution limiting the Presidential service to a single term, and inasmuch as it was inferred from this that he would not be a candidate for re-election, the question of successorship to him became all-absorbing. It dwarfed every other consideration. And while at the beginning it was cautiously concealed from Jackson, his ultimate discovery of it aroused his indignation and caused him to put the matter at rest, as far as possible, by having himself announced as a candidate for a second term, without the intervention of a national nominating convention. This bold movement was characteristic of him, and led, in the end, to such crimination and recrimination among the conspirators as to effect their complete exposure.

Soon after Jackson's first election, Calhoun and Van Buren came to be considered rival aspirants for the succession. How far each contributed to the advancement

of his own interests must, of course, remain a matter of mere speculation;—but there is this to be confidently said of them, that there was nothing in the life and character of Calhoun to show that he was a schemer, while there is everything in the life and character of Van Buren to show him to have been so. Howsoever this may have been, it is undoubtedly true that there were rival combinations among the friends of the administration, each doing its utmost to secure the successorship to one or the other of these gentlemen. At that time the *United States Telegraph*—a journal published at Washington City and edited with great ability by General Duff Green—claimed to be the organ of the administration, and as having, in consequence, the right to enjoy the patronage of the public printing. But this journal was devoted to the interests of Calhoun in preference to those of Van Buren. It was supposed that efforts were made to induce it to occupy an attitude of impartiality at least, but they were unavailing, inasmuch as General Green was so zealously the friend of Calhoun that his preference for him could not be shaken. It became necessary, therefore,—in order to counteract his influence—that steps should be taken at once to supplant the *Telegraph* by the substitution of another journalistic organ of the administration which should give to Van Buren preference over Calhoun. What steps were taken by the negotiators of this arrangement were, of course, not exposed to the public; but they soon resulted in the establishment of a new journal called the *Globe*, at Washington City, under the management of Blair and Rives, very much to the discomfiture of the friends of Calhoun and to the joy of

those of Van Buren. And it did not take long thereafter to put an end to the *Telegraph*,—make the *Globe* the organ and beneficiary of the administration by the patronage of the public printing,—force Calhoun into an attitude of open hostility to the administration,—and leave Van Buren without a rival among the friends of the administration for the successorship to Jackson. The plan was adroitly contrived by master-workmen and soon produced an irreconcilable breach between Jackson and Calhoun; but failed only in this, that when Jackson was announced as a candidate for re-election the claims of Van Buren had to be postponed and he had to be reconciled by being made Vice-President in the place of Calhoun—thus supplanting and superseding the latter entirely.

It required a good deal of what may well be called political legerdemain to carry this arrangement into execution. National nominating conventions were then unknown, and Van Buren was not so favorably known as to entitle him to be placed upon the ticket with Jackson without formal indorsement by one. A delegate convention—the first of the kind—was accordingly assembled in Baltimore for the sole purpose of nominating a candidate for the Vice-Presidency. Although Van Buren had no actual competitor—as Calhoun had been disposed of—and was easily nominated, yet the votes of eight States were cast against him. This, ordinarily, would have amounted to but little, but when it was considered that South Carolina did not vote for him, and that seven out of these eight States had voted for Jackson in 1828, it became necessary to invent some expedient by which they could be induced to vote for Van Buren for the Vice-

Presidency. Nothing of this kind was necessary so far as Jackson was himself concerned,—for he had merit enough of his own,—but as the politicians had loaded down the ticket with a heavy weight, it became necessary to lighten it as much as possible. This required the manipulation of experts,—made the more delicate by the fact that of the eight States voting against Van Buren but two of them—Indiana and Illinois—were free, while the other six—Kentucky, North Carolina, Virginia, Maryland, South Carolina and Alabama—were slave States. Although the question of slavery had not then become a dominant factor in national elections, it was deemed necessary to placate these six States, so as to prevent them from supposing that the nomination of Van Buren from a free State could, by any possibility, lead to an attack upon slavery in the States. The reason for this lay in the fact that the politicians of the South were already contriving to consolidate that section with reference to slavery, so as to provide, if possible, for the enlargement of its area over territory thereafter to be acquired, or so to employ it, as then existing, as to make it the controlling power over the national patronage. In order to effect these ends—or, at all events, to assure Van Buren's election as Vice-President—it was deemed prudent to permit him to occupy his accustomed non-committal attitude—so entirely congenial to him—so that the politicians of all the sections could represent him as favoring this, that, or the other thing, as local expediency might suggest; and thus enable him to run almost entirely upon Jackson's popularity. Hence, the convention which nominated

him, instead of a platform of principles, adopted a single resolution in these words:

“*Resolved*, That it be recommended to the several delegations in this Convention, in place of a General Address from this body to the people of the United States, to make such explanations by address, report, or otherwise, to their respective constituents, of the object, proceedings and result of the meeting, *as they may deem expedient.*”

Nothing of this kind ever occurred before in American politics, and he must be very obtuse who, in view of what has since occurred, does not see that it was the inauguration of a new era of trickery and deception in political elections, which—while it neither strengthened nor weakened Jackson who was not a party to it—carried Van Buren into the Vice-Presidency, not on account of his own popularity but because he was associated on the same ticket with Jackson. Nevertheless, however, the electoral vote of Pennsylvania was withheld from him, and he fell thirty votes behind Jackson.

The popularity of Jackson was greatly increased during his second term, mainly on account of the firm and patriotic course he pursued with reference to nullification in South Carolina. This so identified him with the national cause as against any form or measures of sectional opposition, that many who had voted against him in 1828 readily acquiesced in his re-election. Van Buren kept in a condition to avail himself of this, and being merely the presiding officer of the United States Senate, so “trimmed his sails” as to avoid any new complications and keep himself within the shadow of Jackson, in order to become

his successor. He succeeded so well in this that at another national nominating convention in 1835, he was nominated for the Presidency, with Col. R. M. Johnson for Vice-President. But this convention pursued the same expedient as that which had nominated him for the Vice-Presidency in 1831, by putting forth no platform of principles,—thus leaving the contest to be conducted, as it had been in his candidacy for Vice-President, upon national grounds in the free, and sectional grounds in the slave, States. The politicians of the South displayed great sagacity and wisdom in this, while those of the North were misled. The former knew that Van Buren had joined the combination to defeat the policy of Monroe and John Quincy Adams with reference to the mission to the Congress at Panama, upon the ground that the confederated Spanish-American States had become pledged to abolish the slave trade; and this knowledge was silently held in reserve so that it could be made available to answer any possible political exigency in the slave States, while the voters in the free States were engaged in the consideration of national questions, without any suspicion of a consolidated South.

The cards were well stacked, but did not play out so well as had been anticipated, for, by this time, the intelligence of the voters of the South had become sufficiently aroused to enable them to see that the scheming politicians who had prophesied national interference with slavery in the States, were false prophets, and designed to mislead them for the accomplishment of their own selfish ends. The consequence was that General William H. Harrison—the Presidential competitor of Van Buren—

received 1,842 more popular votes than Van Buren in eleven slave States—South Carolina having cast her electoral vote by the Legislature. Van Buren, however, was elected by a popular majority of less than 25,000 out of nearly 1,500,000 votes cast, which majority was less than he received in New York alone—his own State—by over 3,000 votes. Moreover, he received but 61 of the electoral votes of the slave States, while 61 were cast against him, and his majority of the whole popular vote was more than 100,000 less than that of Jackson in his contest of 1832, with Clay. These facts tend to show, with reasonable certainty, that but for his association with Jackson and the popularity of his administration, Van Buren could not have been elected—that the first attempt to control a Presidential election by a consolidated sectional vote was made by his supporters, and with his consent—that this was rebuked by the Southern people themselves because of its tendency to invite sectional antagonism, and that whatsoever efforts were afterwards made to consolidate the North were responsive to those first made by his partisans in the South. And if the intelligent searcher of our history shall carefully keep these considerations in mind, he will find it difficult to escape the conviction that if Van Buren had not been elected President in 1836, we should have escaped our late civil war. History is something of a labyrinth, yet it is not impossible, in tracing the courses of events, to discover the points where they link together and establish, as well as illustrate, its philosophy.

There is nothing within the whole range of my memory of which I can speak more confidently than when I assert

that the institution of slavery, as it existed in the South, was not in the least danger at the time of Van Buren's election. Multitudes of Northern people could not be reconciled to the principle upon which it was based, but in this respect they were influenced by the example of the colony of Virginia, in its numerous protests against the slave trade and the English importation of slaves. At the same time, however, they recognized the constitutional protection of slave property in the States, and were disinclined to agitate the question. There were a few agitators here and there in the North, but these were unable to influence public opinion, and could accomplish nothing whatever in Congress, where they were made powerless by the almost entire unanimity of both Houses. Jackson considered them entirely harmless, and therefore, in his last message, December 6, 1836, said: "With no causes at home or abroad to lessen the confidence with which we look to the future for continuing proofs of the capacity of our free institutions to produce all the fruits of good government, the general condition of our affairs may well excite our national pride." In the diversity of sentiment respecting slavery he saw nothing to excite the least apprehension or alarm—nothing threatening to the harmony of the Union, or which he supposed could lead, either in the immediate or remote future, to any improper or unconstitutional interference with slavery in the States. Those who assumed that there was then danger of this and that he did not understand it, or, understanding it, did not admonish the country of its existence, insinuate against him not merely the charge of almost criminal negligence, but of imbecility and want of patriotism.

His whole life is a sufficient defense against both of these imputations, and his farewell address—dated March 3, 1837, the day preceding Van Buren's inauguration—conclusively shows that he did not consider the rights of the slave States in the least degree imperiled by any existing anti-slavery agitation in the North. If there had been anything of that kind then threatening the country, or promising to do so in the future, he would undoubtedly have expressed his fears for the Union—to which no man was more patriotically devoted—in such terms of admonition and warning as would have rung throughout the land. Instead of this, however, he said nothing about slavery, or slavery agitation, or any threatened interference with the rights of the slave States; but, in pointing out the dangers to our peace and harmony, declared that, in his opinion, they sprang “from cupidity, from corruption, from disappointed ambition and inordinate thirst for power”—meaning, of course, among the politicians and not the people—and that from these sources “factions will be formed and liberty endangered.” He did not say one word about the threatened aggressions of the North upon the rights of Southern slaveholders,—nothing from which it could be inferred that he either knew or suspected that any such purpose existed. And he who will now take the trouble to read this memorable document, and carefully observe its contents, will see, as plainly as he can distinguish daylight from darkness, that when Jackson retired from the Presidency he did not apprehend the least danger of any interference with slave property in the Southern States; but, upon the other hand, that all his fears for the future of the

country were centered in his belief that the "cupidity," and "corruption," and "ambition," and "inordinate thirst for power" which prevailed among the politicians would breed such "factions" as would ultimately endanger the Union. In this he was not only wise, but right; and it is only necessary to employ ordinary caution in examining the events which followed his retirement to learn that he had scarcely reached the Hermitage before these factions began to form and were strengthened by federal patronage as plants are invigorated and grow by watering.

After Van Buren was nominated for the Presidency, his hands were tied—tightly tied by those who understood well how to tether their dependents. Therefore, when it was deemed necessary to employ him in aid of the conspiracy to consolidate the South upon the subject of slavery, he had not the courage to rebuke the conspirators or to defend the Northern people against the false imputation of the purpose of interfering with slavery in the States. If he had possessed this courage, a few words of kindly and patriotic remonstrance would have rebuked the malcontents and made them blush, as they also would have destroyed all the germs of sectional passion, which, as we have seen, had not then grown sufficiently to emit their poison. But instead of that, and, manifestly, with the view of kindling the fires of sectional excitement in the slave States so as to assure his election by their votes, he caused a letter to be published during the canvass, wherein he declared his inflexible and uncompromising opposition to "every attempt on the part of Congress to abolish slavery in the District of Colum-

bia," and also to "the slightest interference with it in the States where it existed."

This was the exhibition of the kind of courage displayed by Don Quixote when he made war upon the wind-mills—an assault upon an adversary that did not exist. We shall see presently that those of the North who desired the abolition of slavery in the District of Columbia were too few to produce a ripple upon the ocean of public sentiment, and that even these few had not expressed any desire to interfere by congressional action, either directly or indirectly, with slavery in the States where it existed. This having been so during the Presidential canvass of 1836, it was well understood by Van Buren and his supporters that, while the bulk of the voters of the North were not concerning themselves about slavery, and would cast their ballots without the least regard to it, and with reference to questions of government policy, his political fortunes would be bettered if they could excite the fears of the Southern voters by the false pretense that slavery in the States was seriously threatened. And, with no other or higher motive than this, the letter of Van Buren was circulated all over the South as a temporary expedient to secure his election;—an artifice covered by disguise so thin that a majority of the Southern people saw through it and cast their votes against him;—for it is characteristic of the American people that they instinctively dislike political trickery.

Notwithstanding this, Van Buren's mind was so elated at his election and the stratagem which had produced it, that he pretended to see—what Jackson had failed to observe—that the South had reason to believe

that the North was about to bring about such legislation in Congress as would result in abolishing slavery in the Southern States. Accordingly in his inaugural, delivered March 4, 1837—the day after Jackson's farewell address—he introduced the subject of slavery by referring to the States having “domestic institutions which, unwisely disturbed, might endanger the harmony of the whole;” and characterizing it as one “of the prominent sources of discord and disaster,” he declared that it had “never, *until the present period*, disturbed the tranquility of our common country.” This arraignment of the North—for it was nothing else—created intense indignation throughout the free States, where among the populations at large there was only now and then to be found a voter who cast his ballot with reference to slavery;—and it may be parenthetically remarked here, that this indignation became so widely extended and controlling in his own State of New York, that while it gave him a majority of over 28,000 votes in 1836, the majority against him in 1840 was 10,500,—making a difference of over 38,000 votes in less than four years. But in the South it had such effect upon the conspirators against the peace of the Union that they thought they saw in it signs of the triumph they expected to ultimately win by such a dispensation of the federal patronage as they expected to dictate. It is necessary, however, to observe at this point the precise relation which the North bore to the slavery question, in so far as the constitutional rights of the slaveholding States were involved. This is shown by the Congressional records.

On November 11, 1835, a quarterly meeting of Qua-

kers was held in Lancaster county, Pennsylvania, which prepared a memorial to Congress, praying that slavery be abolished *in the District of Columbia*, because it was "within the constitutional jurisdiction of Congress;" but not intimating the least desire to have it interfered with *in any of the States*. On January 11, 1836, this memorial was presented to the Senate. At the same session several other memorials of the same import from citizens of Ohio, Vermont and Massachusetts were also presented. These gave rise to considerable debate, in which the Southern Senators—under the lead of Calhoun—insisted that they should *not be received*—which was equivalent to a denial of the right of petition,—and that Congress, although it had the exclusive right of legislation over the affairs of the District of Columbia, had no more power to abolish slavery there than it had to do so in the States. This last proposition was denied by several Northern Senators who, at the same time, expressed their unqualified assent to the proposition that Congress had no constitutional power to abolish or interfere with slavery in the States, but that the States alone possessed that power. The Quaker memorial was made the one upon which all the test questions were determined, and after it had been decided to receive it—that is, not to deny the right of the people to petition—the Senate, on March 11, 1836, came to a direct vote upon the motion "that the prayer of the petition be *rejected*;" which, as all understood, was a distinct and explicit avowal that Congress ought *not* to interfere with slavery even in the District of Columbia. This motion was agreed to by a vote nearly unanimous, that is, by *yeas* 34, *nays* 6;—the mi-

nority consisting of the two Senators from Massachusetts, the two from Vermont, one from Indiana, and one from Rhode Island. But nearly all these six Senators addressed the Senate upon the subject, and expressly declared that, in their opinion, Congress had no control over and no right to interfere with slavery as it existed in the States. So that upon the latter question—that is, the constitutional power and right of Congress to interfere with slavery in the States—the decision of the Senate was absolutely unanimous. To say—as Southern agitators did—that there was behind this unanimity a public sentiment among the Northern people different from this, and demanding interference with slavery in the States, was trifling with a matter of most serious import. The only parallel it has in history is the fiddling of Nero when Rome was in flames.

Other petitions were introduced into the House of Representatives at the same session, but, like those in the Senate, they had reference only to slavery in the District of Columbia. Many of these doubtless were attributable to the fact that the Southern members of Congress denied the right of the people to petition upon that subject. It was understood at the time that many signed such petitions merely to condemn this unpopular doctrine—very much as prohibitory laws are generally odious. These petitioners were intelligent enough to know that, within less than one year from the date of the Constitution, numerous petitions had been presented from New York, Pennsylvania, Maryland and Virginia, and especially from the Quakers, praying for the suppression of the slave trade and the melioration of slavery in the

States, and that James Madison—then in Congress from Virginia—while he denied the power of Congress to interfere with slavery in the States, justified the reception and respectful consideration of such petitions. And, in fact, these petitioners were not mistaken in considering that they occupied the same ground as Madison in asserting their claim to the highest privilege of citizenship—the right of petition. No matter now, however, about their motives, it serves every practical purpose to know that, after much fiery and vindictive denunciation by Southern orators, the House of Representatives disposed of all the questions involved by direct votes, and in such way as to leave no doubt whatever about its meaning upon any fair and dispassionate mind. Three distinct propositions were presented to the House and voted upon: 1. That all the petitions be referred to a select committee. 2. That this committee be instructed to report “that Congress possesses no constitutional authority to interfere in any way with the institution of slavery in any of the States of the confederacy.” 3. That “Congress ought not to interfere in any way with slavery in the District of Columbia, because it would be a violation of the public faith, unwise, impolitic and dangerous to the Union.” Each one of these propositions was adopted by a separate vote—the first by *y*es, 174; *n*ays, 48; the second by *y*es, 201; *n*ays, 7; and the third was divided into two clauses, the first of which was adopted by *y*es, 127; *n*ays, 75; and the second by *y*es, 167; *n*ays, 6. In order, however, to comprehend fully the import and meaning of this last vote, it is necessary to observe that it was in the nature of instruction to the select committee that

it should examine and report upon the best method "to sustain and preserve the just rights of the slave-holding States and of the people of" the District of Columbia. These votes were all taken February 8, 1836, after Van Buren had been nominated for the Presidency, and whether considered singly or together, they show that, upon the question of interfering with slavery in the States, the House of Representatives was emphatic in declaring that Congress had no constitutional power to do so.

The select committee provided for by these proceedings was composed of nine, as follows: Pinckney, of South Carolina, Chairman; Harmer, of Ohio; Pierce, of New Hampshire; Hardin, of Kentucky; Jarvis, of Maine; Owens, of Georgia; Muhlenberg, of Pennsylvania; Dromgoole, of Virginia; and Turrill, of New York—representing five free and four slave States. It reported May 18, 1836, recommending three propositions: 1. That Congress possesses no constitutional authority to interfere in any way with the institution of slavery in any of the States of this confederacy: 2. "That Congress ought not to interfere in any way with slavery in the District of Columbia:" 3. In order to put a stop to slavery agitation, "that all petitions, memorials, resolutions, etc.," relating to slavery, "shall, without being either printed or referred, be laid upon the table, and that no further action whatever shall be had thereon." The vote upon the first of these propositions was taken May 25, 1836, when it was adopted by *yeas* 182, *nays* 9. On the next day the other two were voted on, when they were also adopted,—the second by *yeas* 132, *nays* 45; and the third by *yeas* 117, *nays* 68. And thus the whole

subject was disposed of and a rule of procedure established which would put a stop to all congressional agitation. This was not what the Southern leaders desired, and Pinckney was denounced upon the floor of the House as a traitor to the South for having produced this result. They desired to figure in the role of agitators, and were indignant that a Southern representative should do anything to pacify the country and bring their occupation to an end. They entered upon the task of showing that the abolitionists of the North were so numerous as to threaten the existence of the Union, and their indignation against Pinckney was greatly increased when he told them that he had looked into that matter and found that "the whole number of abolition petitioners scarcely exceeded thirty thousand, one-half of whom were females, and it was confidently believed that a considerable number of the remainder were children." And when we now look back upon those times and see that none of these sought to interfere with slavery in the States, but only in the District of Columbia where the national authority was complete, we not only see that no possible danger to the former existed, but that all this agitation so far back as the first session of the Twenty-fourth Congress was designed for the single purpose of consolidating the South and electing a successor to Jackson more obedient to Southern dictation than he had been. None doubted the capacity of these Southern leaders, and when they looked around among the Presidential aspirants they had not far to go before becoming convinced that Van Buren was the man they wanted, because, as a politician, far more than

a statesman, he would employ the federal patronage so as to secure to the South ultimate victory over the North.

Notwithstanding the absolute unanimity in the Senate and the practical unanimity in the House, upon the proposition denying the constitutional right of Congress to interfere with slavery in the States, and the additional fact that not a single petition had been presented asking such interference, Van Buren considered it necessary to placate the Southern voters by announcing, during the canvass, his uncompromising opposition not only to abolishing slavery in the District of Columbia, but to "the slightest interference with it in the States where it existed." The object and purpose of this has been already explained, but it may be said in addition that if he had been content to leave the slavery question where the Senate and House of Representatives left it, the tribulation into which the nation has been plunged since would, in all probability, have been escaped. Such a belief has good foundation in the fact that the intelligent voters of the slaveholding States were beginning to open their eyes to their real condition, and to see that the pretense of danger to their slave property was not only false and misleading, but made by scheming politicians who had only their selfish ends to attain. And they came to realize this so plainly, notwithstanding Van Buren's attempt to alarm them in his inaugural, that Harrison received 69,440 popular majority of votes in nine slaveholding States against Van Buren's majority of 14,589 in four, giving Harrison a clear majority of 54,851 popular and twenty-nine electoral votes in eleven slave States. It is evident, therefore, that the repudiation of Van Buren by the slave-

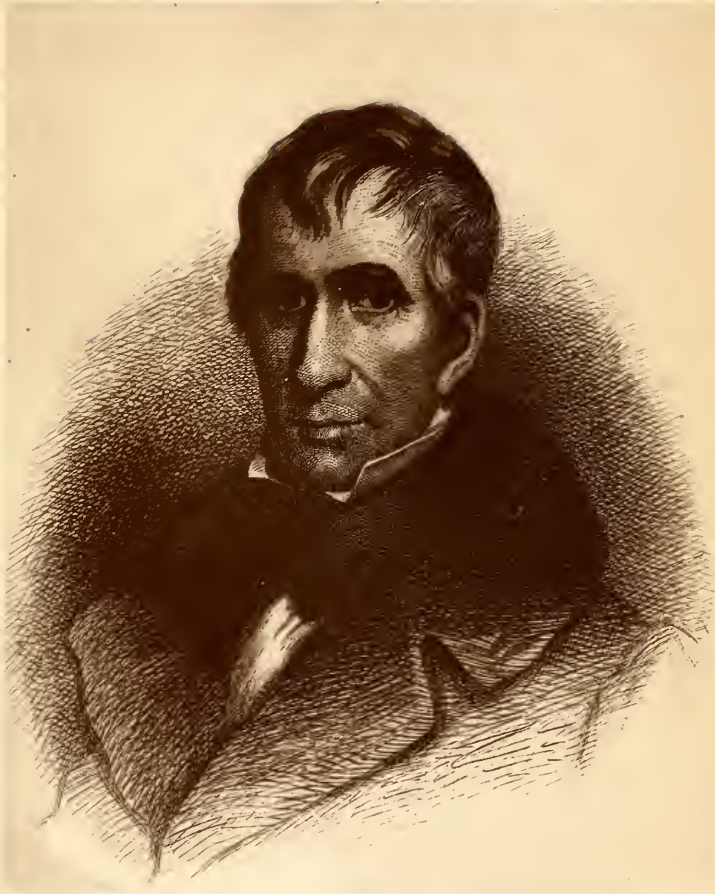
holding States would have driven into retirement the conspirators who manipulated him and his administration, had not other and later events occurred which enabled them to regain the ground they had lost by means of new stratagems more sagaciously conducted.

The administration of Van Buren was in every sense a failure. This is not the place to discuss the causes of the financial embarrassment which then deranged the commercial and manufacturing interests of the whole country. It was so great as to alarm him, and although he convened Congress in special session September 4, 1837, he was unable to recommend any satisfactory measure of relief. In a message of inordinate length he discussed the relations which the banks of the country bore to the volume of business, but was utterly unable to solve the financial problem, although that alone made it necessary to convene Congress. Apart from his sub-treasury scheme—which was the total separation of the public money from banks—no practical measures of legislation were recommended. On the contrary, he impliedly admitted the failure of his administration at the very beginning by declaring that “all communities are apt to look to government for too much,” and consequently that he refrained “from suggesting to Congress any specific plan for regulating the exchanges of the country, relieving mercantile embarrassments or interfering with the ordinary operations of foreign or domestic commerce,” because, in his opinion, these things, which preceding Presidents had carefully looked after in regulating our domestic policy, were “not within the constitutional province of the general government.” His idea was, in the

popular phrase of that day, that "the government should take care of itself and the people take care of themselves."

Van Buren was courteous to all and was said to be kind-hearted. It is quite certain that, in his private or official intercourse, he was not apt to make enemies. It has always been puzzling to those who knew both Jackson and him, to understand how the relations between them could ever have been created, in view of the fact that they were wholly unlike in almost every particular. Jackson was bold and courageous, while Van Buren was timid and cowardly. Jackson shrunk from no responsibility pertaining to his position, Van Buren always did. It is not surprising, therefore, that the former is gratefully remembered by the American people, and held in the highest esteem for his patriotic devotion to the Union, while the present generation either know nothing of the latter, or remember him only as a politician and not as a statesman. What Tom Marshall of Kentucky said of Tyler's administration may be much more appropriately said of Van Buren's—that it may be included in a parenthesis, and left out in reading our history without the least break in the sense.

WILLIAM HENRY HARRISON.



W. H. Harrison

CHAPTER IX

WILLIAM H. HARRISON

EITHER from indisposition or inability, the administration of Van Buren failed to adopt any such measures as were demanded by the necessities of the country. On the contrary, matters were allowed to drift along without the effective interference of the government, until it came to be understood that his policy was calculated to weaken the national authority and to strengthen that of the States throughout our whole political system. This gave encouragement to the "State Rights," or Strict Construction party, who pretended to have discovered that all the early Presidents had violated the Constitution by beginning and prosecuting affirmative measures of policy, designed to promote the "general welfare" by developing the vast natural resources of the country. The Southern allies of Van Buren could easily see that this was their work, and as they had used him so effectively to begin the consolidation of the South on the subject of slavery, and could not well turn back without letting go the federal patronage they then controlled, they found it necessary to renominate him for the Presidency as his own successor. This they did by a convention held in Baltimore in May, 1840, but having been unable to agree upon a candidate for Vice-President, made no nomination for that office.

Inasmuch, however, as the combination which had carried Van Buren this far along had been unable to identify itself with any legislation beneficial to the country, it was deemed advisable, for the first time in American politics, to put forth a platform of principles—every sentence and word of which was in favor of the sectional South, and not one sentence or word of which recognized the national government as possessing any power whatever to promote the general welfare of the whole country. It denied the constitutionality of internal improvements, of the assumption of the State debts and of a national bank in express terms, and denounced the fostering of one branch of industry to the detriment of another. It condemned the deposits of the public money in banks, recommended economy in public expenditures, and made special proclamation of the great merits of the Declaration of Independence, and invited foreign emigration to this “land of liberty and the asylum of the oppressed of every nation.” But its main and central feature was set forth in a resolution which declared “that Congress has no power, under the Constitution, to interfere with or control the domestic institutions of the several States”—that is, with slavery as it existed in them. This is comparable only with the case of the blustering school-boy who places a chip upon his head and dares any other boy to knock it off, well understanding that none either intend or desire to do so.

It required very little sagacity to see that the government could not be well conducted in accordance with the policy foreshadowed by this platform;—that, in point of fact, it did not announce any system of policy what-

ever, but was simply a string of negations—denying everything and affirming nothing. Its chief, if not its only object, was to excite the fears of the South with regard to slavery, by pretending that the North was rapidly organizing to abolish it; when, in fact, nothing of that kind was being done, except that here and there, in distinct localities, a mere handful of abolitionists would pass resolutions in favor of abolition in the District of Columbia, which the great bulk of the Northern people of all other parties condemned and repudiated. Yet, in the face of this well attested fact, these conspirators from the South, who had obtained the mastery over Van Buren, were persistent in the attempt to alarm the South, so as to consolidate that section and thus secure Van Buren's re-election;—which meant to them the retention of their own offices and the control of the federal patronage.

The popular dread of a sectional contest for the Presidency had caused the nomination of General Harrison by a convention which met at Harrisburg in December, 1839. The controlling purpose of that convention was to rebuke the spirit of sectionalism and to bring back the government to those affirmative measures of policy which had originated with the early Presidents and had brought the country to an unexampled condition of prosperous development. It made no proclamation of principles, because not having been customary the country did not expect it, and, besides, Harrison was, in himself, the representative of nationalism against sectionalism, which the most thoughtful people of both the North and the South then considered the real issue. In order to give some degree of plausibility to the latter, the government had

been conducted into other paths than those marked out by the Revolutionary fathers, and there was no man in the nation more fitted than Harrison by education, habits of thought, and true courage, to bring it back. His mind was early impressed by Revolutionary teachings—his father having been one of the signers of the Declaration of Independence—and his whole life had been spent not only in the service of the National Union, but in fidelity to these teachings. Hence, his nomination was considered to be, and was, responsive to the popular desire to rebuke those who were endeavoring to kindle the fires of sectional strife, and restore the country to the condition of peace, prosperity, and happiness it had enjoyed before it had been carried, unconsciously and by intrigue, to the point of disregarding the admonitions and example of the founders of the government.

The Harrisburg Convention made a mistake in nominating John Tyler for Vice-President. The most that can be said now by way of excuse for it is that it was the result of patriotic motives,—having been intended to counteract the sectional influences encouraged and patronized by Van Buren's administration. Those who looked to the permanency of the Union and the prosperity of all the sections, and were intelligent enough to see that a consolidated South would inevitably lead to a consolidated North and thereby put the Union in peril, labored hard to make such a ticket as would, in the most emphatic manner, represent nationalism as against sectionalism. That General Harrison did this nobody doubted, but as he was a resident of a free State it was deemed essential that the candidate for Vice-President

should be a resident of a slave State. The sentiment of nationality was so strong in this convention that it absorbed all other considerations, and as Tyler was a resident of Virginia and had given no evidences of a desire to see the South consolidated as a sectional party, his selection as a candidate for Vice-President gave general satisfaction, both in the North and in the South. While, of course, consideration was given to measures of domestic policy other than such as related to slavery, there were controlling reasons why, for the time being, they were not made specially prominent. In the first place, it had never been customary to put forth a platform of principles, but instead, to nominate a candidate for the Presidency—as was done by presenting Harrison—whose life and character gave assurance that he could assent to nothing that would tend, in any degree, to endanger the general welfare. In the second place, it was not deemed prudent to set the example of departing from the course of the early Presidents by converting a Presidential campaign into a theater for the discussion of mere measures of legislative policy, which, by the theory of the government, must be decided by the people through their representatives in Congress. And in the third and last place, it was more necessary than all else to rebuke the spirit of sectionalism, so that the deliberate judgment of the whole people, throughout the Union, could be invoked in selecting the best affirmative measures of polity to undo the mischiefs with which the country had been afflicted by Van Buren's studied system of negotiations.

The result of the election was decidedly favorable to the national cause,—so much so as greatly to exhilarate

its friends, while it depressed, in a corresponding degree, the sectional agitators. The total popular vote was 2,410,778, of which Harrison's majority was 139,256, and he received 234 electoral votes and Van Buren only 60, which gave him a majority of 174 in the electoral college. Compared with the election of 1836 it taught an instructive lesson, which ought never to have been forgotten. In that election Van Buren carried seven slaveholding States, which gave him popular majorities of 17,893, and Harrison four, with popular majorities amounting to 19,851—giving the latter 1,862 majority in the South; whereas, at the election of 1840 Harrison carried seven slaveholding States and Van Buren four, which gave the former popular majorities amounting to 69,440, and the latter popular majorities amounting to 14,589,—thus giving Harrison a clear majority of 54,851, which was a gain of 52,989 in the eleven slaveholding States—South Carolina continuing to vote by the Legislature—in the four years from 1836 to 1840. These important facts indicate beyond any reasonable doubt, these two things: First, that the sentiment of nationality was growing stronger and that of sectionalism weaker, in the South; and second, that those who desired sectional strife became convinced by these adverse conditions of the necessity of some new method of alarming the South and assuring the accomplishment of their ends by its consolidation. What this new method was will appear hereafter.

The election of Harrison was not only directly favorable to the national cause, but it excited both the hope and the belief in multitudes of the most intelligent minds, in the South as well as in the North, that the government

would be returned to the lines and measures of policy the Revolutionary fathers had established, and from which it had been carried away by crude and hazardous experiments, originating in the causes which Jackson, in his farewell address, had pointed out as the sources of the greatest danger to the country,—that is, in the “cupidity,” “corruption,” “disappointed ambition,” and “inordinate thirst for power,” of scheming politicians. The abolitionists of the North had shown their strength by voting, at the same election, for James G. Birney, and were able to cast only 7,059 votes, scattered throughout twelve States of the North. These twelve States gave an aggregate popular vote of 845,495 for Harrison, so that the abolition vote was one in every twelve hundred, while there was not a single vote cast for Birney in either of two Northern States—Delaware and Indiana. Inasmuch, therefore, as this fact disproved entirely the allegation of the sectional friends of Van Buren, that the North was consolidating to interfere with slavery in the States, they were brought to realize that unless their mode of procedure should be varied by new inventions, the Union, as it then was, would be maintained in its complete national integrity and the federal patronage lost to them, probably forever.

The inaugural of Harrison gave no comfort whatever to those who desired to stir up strife between the sections. On the contrary, it was so crowded with national sentiments and so eloquent in patriotic appeals to arouse them, that it stirred up throughout the nation the most fervid enthusiasm. They were dull who could not see his familiarity with the philosophy of history, and that he

had studied it so deeply and well as to become convinced that the form of government most conducive to human prosperity and happiness was that whereby the sovereign and controlling authority is irrevocably vested in the people. It was manifest to all that his fixed purpose was to revive the principles and policy of the Revolutionary era, so that the government should continue to be the reflex of them, in order to preserve it as it came from the hands of its founders, without danger of sectional disturbance. His leading and controlling object was to perpetuate the Union for the benefit of future generations. The first thing he realized, at the beginning of his administration, was the condition into which the country had been brought by the negative and neglectful policy of Van Buren, which had deranged the finances, crippled both domestic and foreign commerce, and caused an almost entire suspension in every department of business. Surveying this entire field and considering well the obligation of the government to protect the interests of the whole people, by such means as the Constitution had given it, he acted with his accustomed promptitude, and on March 17, 1841—less than two weeks after his inauguration—issued a proclamation convening Congress in extra session, “to devise and adopt such measures as the good of the country” required. He made no search after executive powers to accomplish the desired results, for by education and habits of thought he had learned that so far as a President encroaches upon the legislative authority, precisely to the same extent he endangers the plan of government of, for, and by the people. His dependence upon the popular intelligence and patriotism

was not hedged in by either doubts or fears,—for all his associations had led him to believe that the impulses of the people centered in the desire to encourage whatever should legitimately tend to make the United States not only the greatest but the most prosperous and influential country in the world.

He had already given evidence of his wisdom and discretion in the selection of his cabinet, which was composed of six of the ablest and most distinguished of American statesmen, who, besides representing all the varied material interests of the entire country, were the impersonation of the principle of nationality in its highest and best sense. They were Daniel Webster, Secretary of State; Thomas Ewing, Secretary of the Treasury; John Bell, Secretary of War; George E. Badger, Secretary of the Navy; Francis Granger, Postmaster General, and John J. Crittenden, Attorney-General. They fairly represented every section of the country and all its diversified interests. Webster was the profoundest constitutional lawyer in America, and was so recognized by common consent. Ewing illustrated in his wonderful success the beauty of our popular institutions in that he had marched steadily forward from an humble and obscure beginning to an eminent position in the front rank of jurists and statesmen. And if the others occupied an intermediate position each one of them was recognized as possessing the highest fitness for the position in which he was placed. The satisfaction at the selection of such advisers was general among all classes, but especially among those who desired to see the government administered consistently with the principles which had

prevailed before it had been made a political machine for promoting the personal ambition of individuals by stirring up discord between the sections. But by the mysterious dispensation of Providence, who has wisely withheld from us a key to unlock the secrets of the future, the hopes and expectations of the country were suddenly blasted by the untimely death of Harrison, which occurred after a brief illness, April 4, 1841, at the city of Washington. The disease which carried him off ran its fatal course quickly, but he retained his intellectual faculties to the end. His last thoughts were of the country. The cabinet, in notifying the public of this fact, said, "the last utterance of his lips expressed a fervent desire for the perpetuity of the Constitution and the preservation of its true principles," a legacy of advice which only patriots leave behind them.

The death of any man in conspicuous public station, who is known to be fitted for its duties, excites a momentary sadness even in flinty hearts. But that of Harrison, just when he was about to enter upon his Presidential duties with the resolute purpose of devoting his best energies to the advancement of the public good, was a public calamity. There was then no telegraph to send out the notice of it upon wings of lightning, but not many days elapsed before evidences of the deepest sorrow were exhibited in every section. Multitudes felt as if they had lost a friend; but this was more notably the case among those whose business and industrial interests were involved in the measures and policy of the government, and who felt they ought not to be abandoned to

the mere accident and hazard of fortune in such pursuits as were identified with the general welfare. But, more than this, the grief was universal among those who loved the Union and desired to see the spirit of sectionalism dissipated, as they were assured it would be, by his executive rebuke and by the employment of all the power and authority which the Constitution and laws placed in his hands.

The esteem in which Harrison was held by those who knew him best was well deserved, for, during his whole life, he was never known to betray a trust. From the time he received from the hands of George Washington a commission of Lieutenant in the army—when only eighteen years of age—he never faltered in the discharge of duty or shrank from the responsibilities of his position. Whatever he had to do was done with conspicuous fidelity. He was trusted to the fullest extent by Generals St. Clair and “Mad Anthony” Wayne upon expeditions against the Indians upon the frontier, and with absolute confidence in his ability, discretion and skill. After having been made a captain, he resigned his position in the army and was made Secretary of the Northwest Territory, and soon after was elected a delegate from that Territory to Congress. He served as Governor of Indiana Territory until 1813, and gained an important victory over the Indians in 1811, at the memorable battle of Tippecanoe. He became commander of the Northwestern army, and bore a gallant and conspicuous part in the defense of Fort Meigs and in the battle of the Thames. He served in Congress from Ohio one term, beginning in 1816, and in 1828 was appointed Minister to the govern-

ment of Colombia, by President John Quincy Adams. In all these positions his conduct was marked by unbending integrity, and among all who were familiar with his life and services, he was universally esteemed to be "without fear and without reproach." To such of these as may now be living, it will not appear too much to say that if his death had not so soon terminated his administration, he might have reconciled the sections, rendered civil war impossible, and so built upon the foundations of the Constitution as to make the Union impregnable.

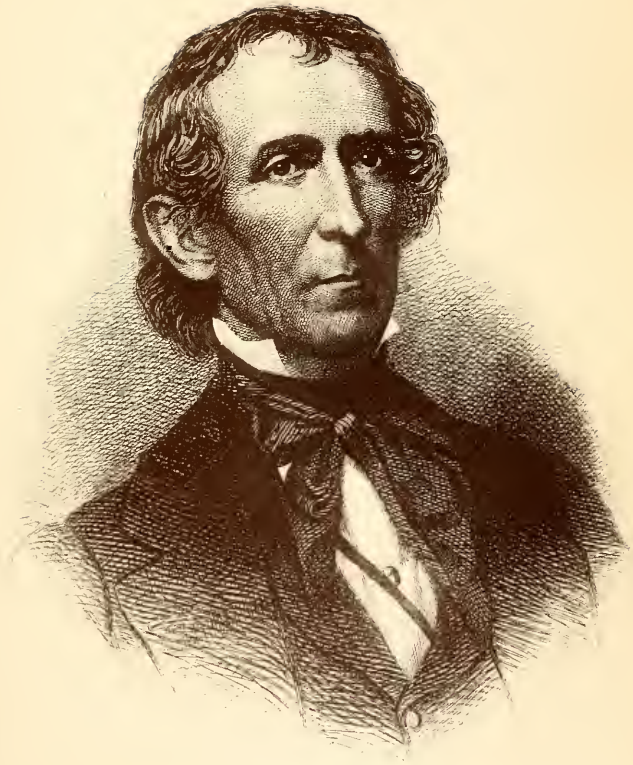
My personal relations with General Harrison did not extend beyond a few casual interviews; except that upon one occasion I had an opportunity of observing him sufficiently to satisfy my own mind that I had not misconceived his prominent characteristics. During the Presidential contest of 1840, I came down the Ohio river from Cincinnati, upon a steamboat, which stopped long enough at North Bend—Harrison's residence—to enable the passengers to go on shore and pay their respects to him. Among them was General Van Rensselaer of New York, between whom and Harrison there had been many years of the most intimate relations. My recollection is that when they were both young they had served together in the army upon the frontier, and had formed a strong attachment for each other, but had not met for many years. I was greatly impressed by their mutual greeting, which exhibited upon the part of Harrison that kindness of manner which is characteristic of a generous heart, always ready to respond to the demands of friendship. Their conversation was necessarily brief, but it was such as to assure all who witnessed the interview that

Harrison was possessed of those manly and noble qualities which indicate that the heart is in the right place. This very expression was used by one of the passengers after the boat renewed its voyage, and I remember to have been quite well assured that this interview between these two old army companions had softened the party asperities of some who witnessed it, and had stimulated the hopes of others for his triumph at the election. During a few moments of private conversation before we separated he expressed a desire to know how the contest was progressing in Indiana, and when I assured him that, in my opinion, he would carry the State, he exhibited the greatest satisfaction and delight, declaring that the former relations between him and the people of Indiana had been such that he had rather be defeated for the Presidency with their votes in his favor, than elected with them against him. That he thus felt in all sincerity I had no doubt, and when I afterwards repeated his words to large audiences of Indiana people, the flushed and animated faces of some of his old companions gave satisfactory evidence of the hold he had upon their affections. Their votes were cast in his favor by a majority of nearly 14,000—more than double the majority given to Van Buren in any State—and was to him, as I was afterwards assured, the cause of self-congratulation, because, as he said, “the confidence of those we have served, and who know us best, is worth more than the wealth of the Indies.”

Not many men have lived in this country whose conduct is more worthy of imitation than that of Harrison. Firm and courageous in the discharge of public trusts, he

never sought to shun responsibility, but was as true in the performance of duty as the plummet is to the line. Generous-hearted and kind in private intercourse, his numerous friends clung to him as if linked by "hooks of steel." Honorable in all his intercourse with the world, his private life was irreproachable. His sincerity was vouched for by his frankness and candor. For the country to have been deprived of the counsel and services of such a man, at a time when they were so much needed, was a sad bereavement. If that affliction had not befallen us we should, in all probability, have escaped others which have caused thousands of patriotic hearts to bleed. Be this as it may, his cabinet, when announcing his melancholy end, furnished an epitaph suitable for carving upon his tomb when they said: "His death was calm and resigned, as his life had been patriotic, useful, and distinguished." Or if it should be necessary to add other words to these to express his unabated love for the Union up till the last moment of his life, he has himself furnished them in this eloquent and golden extract from his inaugural: "It is union that we want—not of a party for the sake of that party, but a union of the whole country for the sake of the whole country, for the defense of its interests and its honor against foreign aggression, for the defense of those principles for which our ancestors so gloriously contended."

JOHN TYLER.



John Tyler

CHAPTER X

JOHN TYLER

THE promptness with which Harrison convened Congress in special session, in 1841, was accepted throughout the country as indicating his desire for the adoption of some active and efficient measures of policy for the relief of the business community, which necessarily involved a departure from the do-nothing policy of Van Buren's administration. To his mind it was clear that the primary object in creating the National Government was to confer upon it such functions as would enable it to do what the States were unable, in consequence of their conflicting local interests, to accomplish, that is, to stimulate the enterprise and develop the industrial interests of the whole country and thereby promote the "general welfare" as contra-distinguished from that of particular States or sections. If there was anything involved in the Presidential campaign of the year before it was this, and consequently the call of the extra session inspired all the departments of business and industry with hope and confidence. This was seen as soon as the proclamation became known and evidences of it were furnished almost every day. Neither the purposes of the administration nor the public expectation could be mistaken.

All former Presidents having lived out their respective

terms, no Vice-President had ever become President until Tyler was made so by the death of Harrison. This presented a new question with regard to the title by which he should be known—whether that of President or merely *Acting* President. Some good constitutional lawyers insisted upon the latter, but as the Constitution provided only for a President and a Vice-President, it was settled that Tyler rightfully became the former when he constitutionally ceased to be the latter. This was ultimately accepted as satisfactory.

Although fifty-three years have passed since the Twenty-seventh Congress met in extra session at the summons of Harrison, its proceedings and the events which grew out of them left impressions upon my mind which have not been removed by all the stirring incidents of the intervening years. In attempting to convey some of these to the minds of others I shall endeavor to employ terms of reproach as sparingly as possible, if for no other reason because the passions which the excitement of that period engendered have been cooled, if not entirely extirpated, by the ravages of time. Towards Tyler himself my feelings were originally kind, such as made our intercourse agreeable. They became otherwise from what I then believed to be the necessities of the occasion, but even then not such as to create in my mind the desire to attribute to him an unworthy motive when, by possibility, I could, in justice to my own convictions, avoid it. The time when he had a party at his back to sustain him and his administration, after his persistent disregard of both express and implied pledges, was too short to be computed. It did not take him

long, after a fortunate and favorable beginning, to imagine himself as having reached what Clay most aptly called a "half-way house," midway between those who had elected and those who had opposed him, which he believed he could make attractive enough for all who were persuaded to suppose that the old parties were dissolving and that their fragments could be remodeled into a new and better one. It is of no consequence to inquire now when this thought first took possession of his mind or how long he brooded over it before it became positive delusion, inasmuch as it is universally accepted as a fact, the beginning of a series of other facts which bear intimate relations to some of the saddest events in our history.

It has been elsewhere stated that Harrison was nominated by those who desired to restore the government to the condition in which its founders left it, by the enactment of such laws as experience had shown to be necessary and beneficial. Among the measures deemed essential were the following: The charter of a national bank, with the view of furnishing a stable and reliable currency, as well as facilitating the financial operations of the government; the regulation of the tariff laws so as to provide for the exigencies arising out of the horizontal rate of duty contemplated by the compromise act of 1833, and, while supplying the government with abundant revenue, give proper protection to all our home industries, and to make such judicious expenditures as were necessary to improve the means of intercommunication between the sections—especially the navigable rivers of the interior. All these important objects had been provided

for in our early legislation, and had the sanction—express or implied—of every administration, until Van Buren consented to submit to the dictation of the nullifiers who were dispersed by Jackson, and learned from them that Congress had no constitutional power to do these things, but that they must be left to the States themselves, notwithstanding there was scarcely a single State that was not already carrying a load of direct taxation almost too heavy to be borne. All these measures; and others incident to them, were directly involved in the Presidential campaign of 1840, and were so fully discussed before large audiences in every State and in almost every neighborhood, as well as in the newspapers, that the whole country was apprised of them, as well as of the arguments by which they were defended and assailed. I have personally participated somewhat actively in sixteen Presidential campaigns, covering a period of more than three-score years, and I do not hesitate to affirm that I have never known one when the distinctive political issues involved were discussed and investigated with more thoroughness. I well remember an occasion during that canvass when Robert Dale Owen and myself—each speaking alternate hours—occupied two entire days in discussing these measures—he attacking and I defending them—before a large and intelligent audience, whose interest never slackened. But this is certain, as every survivor of that period will remember, that the opinions of Harrison upon all these questions were well understood by the public—for what he thought and believed with reference to them was made the special object of public inquiry. I recollect both the attack and defense. He was accused of New England federalism,

because he favored the policy of John Adams's administration, to which it was replied that Adams followed the policy of Washington's administration, and Harrison proposed to do the same.

The people understood it and rendered their verdict accordingly. What Tyler may have thought and believed before then, upon these or any other public questions, did not, to any material extent, become the subject of inquiry by the people. There were two reasons for this: first, he was a candidate for Vice-President, and if elected would be required only to preside over the Senate, without any vote unless that body should be "equally divided"—a condition neither expected nor likely to occur,—and, second, because it was a necessary and unavoidable inference from the fact of his having agreed to run upon the ticket with Harrison, that if elected he would assist, as far as the Vice-President could, in consummating the policy approved by the election. Besides, it was a fundamental principle with those who supported that ticket, that the public sentiment expressed at the ballot-box, upon the questions of policy then submitted, should control the action of the new administration, in order to put the government upon the right course, instead of allowing it to drift along among dangerous rocks and whirlpools, under the guidance of those whose motto was that "to the victors belong the spoils of office."

When the Twenty-seventh Congress convened, May 31, 1841, it found Tyler and not Harrison in possession of the Presidency. There was grief because the leader of the victorious hosts was absent, but no ostensible reason for believing that the popular verdict which had been so em-

phatically pronounced would be disregarded. If there were suspicions they were incipient merely and not allowed to ripen into positive fears. Hope inspired the majority and nerved them to prompt and vigorous action. This majority consisted of those who had been returned to that Congress, pledged to carry out the measures indorsed and approved by Harrison's election, and who, encouraged by the knowledge of that fact, entered upon their legislative duties with the conviction that their own and the public expectations would be fulfilled by both Congressional and Executive obedience to the popular commands. In his inaugural address Tyler had encouraged this hope by indicating his belief that the necessary reform would consist in a departure from the prevailing system of negations, and, with seeming purpose, had left it to be believed that, with reference to such measures as Congress should adopt, he would "resort to the fathers of the great Republican school for advice and instruction, to be drawn from their sage views of our system of government and the light of their ever-glorious example." This was considered encouraging, for there is nothing more palpable than the fact that these fathers had recognized—some by positive action and others by acquiescence—the constitutionality of a national bank, then more earnestly demanded than any other measure, and the necessity for which was directly involved in the Presidential and Congressional elections.

The first message of Tyler to Congress, dated June 1, 1841, contained some language of dubious import which inspired afresh the hopes of the minority, who had strained themselves to the utmost to defeat Harrison.

They seemed to think they saw in it words of equivocal meaning, and their courage, previously weakened, was somewhat revived. But the majority believed that in this his real meaning was perverted, and thought they could discover grounds upon which to base their own sanguine expectations;—for, after a studied recital of former events with reference to a national bank as a fiscal agent of the government and the constitutionality of such an institution, the message referred the question to the representatives of the people, who were recognized as the only true source of authority. It addressed Congress in these words: “To you, then, who have come more directly from the body of our common constituents, I submit the entire question, as best qualified to give a full exposition of their wishes and opinions.” Whatever else may have been observed by the minority in apparent conflict with this, it was sufficiently assuring to the majority.

To that majority their duty seemed plain. They were, in a special and emphatic sense, representatives of the principles considered settled by Harrison’s election, and were, in addition, pledged to their constituents to maintain those principles by the necessary legislation. They accordingly, as the most important measure of relief to the country, passed a bill through both branches of Congress to charter a “fiscal bank of the United States,” which was immediately placed in President Tyler’s hands for approval. There was general rejoicing at this in all parts of the country, especially among those who realized the necessity of a good and stable currency, so absolutely necessary to conduct business successfully in all

its departments. But not many days elapsed before it was rumored that Tyler was hesitating about giving his approval to the bill; in fact, it was boasted by some of the minority that they were assured he would *veto* it. This, of course, put all upon the alert, and the friends of the bill did everything in their power to have it approved, while its enemies were equally industrious in their efforts to procure its rejection. As it was understood that he had suffered himself to be approached and argued with upon the subject, the majority held frequent conferences in order to discover, if possible, the inclination of his mind. I distinctly remember one of these occasions, when a committee was appointed to wait upon and discuss the matter with him. This committee was composed of Millard Fillmore, of New York; John S. Pendleton, of Virginia, and myself. We accordingly visited the White House and occupied the greater part of one evening in conversation with the President. We presented to him all the arguments and reasons we deemed essential, but he was particularly cautious not to commit himself either for or against the bill—in other words, he was entirely noncommittal. It had been arranged previously that upon the next day all the members of Congress, together with Tyler and his cabinet, should visit Annapolis, in Maryland, to see and inspect two government ships of war, then in the harbor near the naval academy, and when we pressed him as closely as was considered prudent he referred to this contemplated visit and said he had not decided what he would do, as he had not had time to make the necessary investigation, that upon the next day we should all go to Annapolis, when the

time must be spent in social intercourse and enjoyment and not a word said about politics or the bank bill, and that upon his return he would take the matter up and decide. This terminated our interview.

We were not fully satisfied. Like all are apt to do upon any given subject in which they are deeply interested, we persuaded ourselves that he was merely coquetting with us, and that in the end he would approve the bill. There were too many facts tending in that direction to warrant any other conclusion. Tyler had been personally present at the Harrisburg convention which nominated Harrison and himself, and had professed both satisfaction and gratification at the result. He had gone there as a delegate for the special purpose of securing the nomination of Clay, who was the most distinguished champion of the "American system," which included all the distinctive measures involved in the Presidential campaign of 1840, and in the election of the majority in Congress. His having been present to accept the nomination for Vice-President under these circumstances, and having acquiesced in the manner in which the campaign was conducted, as well as in the principles avowed, we felt ourselves forbidden to positively question his sincerity, although some things said by him were calculated to excite slight suspicion of it. Our anxiety, however, was so great that we put such construction upon the interview as our hopes and desires dictated—the wish being "father to the thought," and so reported to those in whose behalf we acted.

When I reached the depot the next morning I soon learned that Tyler had not arrived, although the train

was expected to leave in a few minutes. There was some little delay on his account, but he did not make his appearance and we left without him. Observing this my suspicions were at once aroused, and I turned to Truman Smith of Connecticut, who was near me, and after explaining the character of the interview the previous evening, expressed to him my fears that we had been deceived,—that it then seemed to me, for the first time, the bill would be rejected—and that Tyler was remaining at home in order to prepare his *veto* message. And it so turned out, for a few days after—August 16, 1841—he sent his *veto* to the Senate—in which body the bill originated,—and thereby cruelly blasted the hopes and expectations of those to whom he was indebted for the office he filled, and did it manifestly with the purpose of gaining the favor of those who had villified and denounced both Harrison and himself, and with the further object of building up a third party through which he might obtain the Presidency “in his own right.” I am unable to picture the dismay which followed, although the fifty-three intervening years have not erased the impressions from my mind. A triumphant majority—flushed with one of the most signal political triumphs known to our history—was suddenly made almost helpless by one single stroke of the Executive saber. The vast multitude of voters behind them were defied, as if they were a thoughtless rabble or the subdued creatures of a crowned monarch. And a threatening cloud was suspended over all engaged in business operations—from the merchant upon the high seas to the laborer at the forge—so that there came from every direction mingled sounds of dis-

may and indignation;—dismay because of the threatened wreck of private fortunes, and indignation at the unprecedented betrayal of the public trust.

The *veto* message did not display adroitness enough to elevate it above the standard of a commonplace production. In so far as it made the pretense of argument it was stale and flat—not coming up, either in force or dignity, to many of the stump speeches by which a national bank had been assailed during the Presidential canvass. Evidently the part out of which he expected to make the most for himself, was that in which he endeavored to show that he was voted for and elected with full knowledge, upon the part of those who supported him, that he had always denied the constitutionality of a national bank,—a position utterly at variance with his having gone as a delegate to the Harrisburg convention to secure the nomination of Clay,—with his having there personally accepted the nomination for the Vice-Presidency,—with the known sentiments of Harrison, whose popularity secured his own election,—and with the whole course of the Presidential canvass. What he said about those provisions of the bill which allowed branch banks to be established in the States either with or without their consent, would scarcely have availed in a justice's court, for the reason that the government would not represent a nation if the execution of any of its powers were dependent upon State approval,—a proposition perfectly familiar to all who have read enough of our history to know that the old Confederation was abandoned and the Constitution adopted expressly to get rid of that dependence.

Enough soon occurred to cause his sincerity to be

questioned, for whether from "compunctious visitings of conscience" or some other cause left unexplained, he, a few days after, authorized Daniel Webster, his Secretary of State, to seek an interview with some representative of the Congressional majority, with the view of ascertaining whether a new bill could not be agreed upon and passed containing such provisions as he would be willing to approve,—undoubtedly hoping that if this scheme were successful the credit would enure to himself. This interview was had between Webster, representing the Executive, and John M. Berrien, Senator from Georgia, representing the Congressional majority. The result of it was—as stated by Berrien and never denied—that an effort should be made to construct a new bill so drawn as to meet the approbation of the President. To accomplish this it was arranged that John Sergeant of Pennsylvania—a member of the House—should prepare such a bill. He did so by the aid of Thomas Ewing, of Ohio, Secretary of the Treasury, and after its completion it was made known to Tyler, who assented to it without any qualification. This movement was far from satisfactory to the majority, many of whom insisted that it could not be accepted without recognizing the right of the Executive to interfere directly with and influence legislation. It not only intensified the excitement but produced decided ill-feeling. Nevertheless, the majority felt constrained, by a sense of duty to the country, to subdue their passions as far as possible in order to secure some measure of relief, knowing, as they did, that all branches of business were threatened with ruin in consequence of depreciating

currency and the general financial derangement. Influenced alone by this consideration they finally consented to accept the new bill which had been prepared at Tyler's suggestion and approved by him. It was, accordingly, introduced and passed by decisive majorities through both houses of Congress,—some still complaining of the manner in which it had been dictated by the Executive, but all exulting at the prospect of affording relief to the country, although it was not of the character promised or desired by them. Notwithstanding all these facts, however, Tyler also *vetoed* this bill, by a message sent September 9, 1841, to the House of Representatives, where it originated. This message was, in many respects, a repetition of the former *veto*, and if there had been any special merit in its argument to attract attention, it was overlooked entirely in consequence of the indignation felt at his violated pledges. It would be impossible now to explain the extent of this indignant feeling among the friends of the measure, and a large share of it was imparted to its enemies, who, while they supposed themselves profited by the treachery of Tyler, had too high a sense of honor to conceal their real sentiments. Two days after—that is, September 11, 1841—all the members of the cabinet, except Webster, resigned their offices in disgust—having been unwilling to serve longer in connection with an administration whose chief had misled and deceived them. They are entitled to honorable mention, and were as follows: Thomas Ewing, Secretary of the Treasury; John Bell, Secretary of War; George E. Badger, Secretary of the Navy; John J. Crittenden, Attorney-General; and Francis Granger, Postmaster-

General. Not one of these distinguished men could, consistently with his own self-respect, have acted otherwise; for they were all unwilling to remain longer in positions which would, in the least degree, warrant the suspicion that they were wanting in fidelity to their own professed principles or their personal integrity.

This flagrant desertion by Tyler of the friends who had elected him placed between him and them a barrier to all future friendly relations, which was never afterwards removed—a gulf which could never be bridged over. But four members of the House of Representatives withdrew, in consequence, from the ranks of the majority, and these soon became known as the “corporal’s guard.” They deluded themselves with the hope that, as they seemed to find pleasure in the “half-way house,” then erected for the first time, others would likely be attracted by its temptations until it should become crowded with such multitudes, held together by the rewards of federal patronage, as would ultimately build up a “third party,” strong enough to make Tyler President “in his own right.” They could not tolerate the idea that, since the death of Harrison, he had been “standing in another man’s shoes,” when, as they conceived, he was worthy to stand in his own and illumine the Presidential office with his own light. By the aid of Executive patronage, a newspaper organ called the *Madisonian* was established in the city of Washington, the columns of which were filled from day to day with fulsome flattery of Tyler and vindictive denunciation of those who had elected him—which exhibited upon the part of the administration the disposition to pay for former kindness with monstrous ingratitude.

Notwithstanding this, however, the extra session called by Harrison persisted courageously in the work he designed it should accomplish, until it consummated several important measures of acknowledged public utility. It was not of the character to be deterred from the patriotic discharge of duty by the antagonism of an Executive who would have been entirely imbecile but for the constitutional powers he accidentally possessed, and which not a thousand men in the United States, outside the office-holding circle, ever intended—either before or after—to confer upon him.

In the first annual message of Tyler, December 7, 1841, he foreshadowed a new plan of a fiscal agent of the government, which he said had been prepared by the Secretary of the Treasury, in pursuance to his instructions, and the chief merit of which was, in his opinion, the entire separation of the government from banking institutions of every kind. Nothing came of it, however, if for no other reason, because the majority of that Congress, taught by experience at the special session, were not then in a mood to be entangled again in the meshes of a net woven by Executive hands. Therefore, they gave special attention to other important matters, particularly to such as related to revenue.

Because of the diminution in the revenue, occasioned by the compromise act of 1833, which materially reduced the duties upon imports, a provisional tariff act was passed and *vetoed* by Tyler without exciting any special surprise. This, however, was not considered as having any material bearing upon the general question of the tariff, which subject was embraced in another bill not yet

acted on. The latter was prepared with great care and contested at every stage of its progress by its adversaries. It was not framed with reference to Tyler's opinions, but inasmuch as in his message to the extra session he had recommended the distribution of the proceeds of the sales of the public lands among the States, a provision to that effect was inserted in it, the object being to accomplish in one bill what, under ordinary circumstances, would require two separate bills. In so far as the question of protection to our own manufacturing and laboring industries was involved, it was supposed that Tyler had laid down in his message such principles as fully covered it. He there admitted the necessity of discriminating in the protected articles as well as in the amounts of duties, and also in favor of manufacturers. This left no ground for objection except to the amounts of the duties, and it was not supposed that there could be any to these—at all events, from the Executive department—inasmuch as they concerned alone the amount of revenue to be raised, and therefore involved legislative discretion merely. This general tariff bill was accordingly passed by both Houses of Congress and sent to him for his approval. The same course of procedure as had been taken with reference to the first bank bill was not then adopted, but he was left to the exercise of his own discretion. This was rendered in some sense necessary by the fact that the chasm he had created between himself and the majority had not been bridged over, nor was it likely to be. The result was that on August 9, 1842, he sent to the House of Representatives, where the bill originated, another message *vetoing* this bill also. He did not base his ac-

tion upon the want of constitutionality, as in the case of the bank, but upon the ground that the bill contained clauses for the distribution of the land fund among the States, which he had recommended in his message to the extra session. It created no immediate surprise, for rumor had already announced that the bill would be rejected, but demanded upon the part of the majority of the House that the country should be fully informed of the view they took of the Presidential objections. For that purpose the message was referred to the committee on manufactures, at the head of which was the venerable John Quincy Adams. After due consideration that committee made a report, through its chairman, criticising the message with merited severity, but, at the same time, in a manner entirely respectful to the President. It recommended the adoption of a proposition to amend the Constitution by providing that a majority, instead of two-thirds, should thereafter be sufficient to override a Presidential *veto*. Tyler took offense at this and sent to the House a "protest," August 30, 1842, complaining that he had been "condemned without a hearing," and demanding that it be spread upon the journal so as to give it as much publicity as Adams's report. His request was granted, and if this "protest" shall hereafter be deemed important to the student of our political history, it is so preserved that it can easily be found.

In the meantime, James I. Roosevelt, of New York, introduced a revenue bill, pending the consideration of which Thomas M. T. McKennon, of Pennsylvania, moved to substitute for it the bill which Tyler had *vetoed*, omitting the section which related to the land fund. This be-

ing a new proposition, the House was brought by it to another direct vote upon the tariff question. The vote was taken upon McKennon's proposition the same day, and resulted in its defeat by a tie vote—101 *ayes*, 101 *nays*—and the result was hailed with outspoken rejoicing by the enemies of a protective tariff. I had voted—along with several other equally decided advocates of a protective tariff—in the negative, and if a majority could have been obtained for the bill, would have permitted my vote to remain as I gave it, in order to let it stand as my solemn protest against executive dictation. Landaff W. Andrews, of Kentucky, felt and voted as I did, and immediately upon the announcement of the result, he and I agreed that we would change our votes and save the bill if possible. I immediately moved to reconsider the vote, which was carried, and thereupon it was again taken upon the final passage of the bill and was carried by a majority of two, Andrews and myself having both voted for it. There were, besides these changes, six more votes cast than upon the first proposition; and of these the bill gained four and its enemies two. Having soon passed the Senate, it was sent to the President, who, having fully committed himself to the doctrine of protection in his message, was constrained to approve it. And thus the tariff law of 1842 was passed. It was a triumph over Tyler, but not esteemed so much on that account as it was because of its having been a more signal triumph over the enemies of American manufactures, industries and labor, and all who, for party or other purposes, were striving to prevent the United States from becoming the greatest manufacturing country in the world, and, there-

fore, the greatest consumer of the surplus products of agriculture.

When Tyler made up his mind to break away from the friends who had made him President by electing him to the Vice-Presidency, and to "set up for himself," he evidently attributed to sincere motives the compliments bestowed upon him by those who had done their best to defeat him. It is an attribute of some minds that they are unable to penetrate the flimsy veil of flattery, and accept it for real praise;—and this was his condition. He did not seem to realize that the ranks of his old friends remained unbroken, except by the defection of the "corporal's guard," and that the object of his old enemies was to use him and his administration for purposes of their own, precisely after the manner of *the man* who employed the fingers of another to "draw hot chestnuts out of the fire." And he moved forward—slowly at first but soon with rapidity—until he became involved in indiscretions to such an extent that even the declamatory eloquence of Wise, his ablest and sincerest defender, could not sufficiently vindicate him. Pressed on all sides by difficulties he had not foreseen and could not successfully encounter, he undertook to discover some political question not yet made threadbare by the buffetings of former parties; in order, by its newness, to attract the public attention and disarm his adversaries. In this way he hoped to ward off the blows his old allies were aiming at him, and to form a rival alliance with others more in fellowship with himself. It was what, in military parlance, is called a strategic movement.

In casting his telescope across the political sky, his eye

rested upon the young republic of Texas, whose brave sons had avenged the massacres of the Alamo and Goliad, and had vindicated their right to independence at San Jacinto. He was fully instructed with regard to its history,—how the United States had acquired territorial jurisdiction over it by the purchase of Louisiana from France, which might have been extended to the Rio Grande river, but that by the treaty of 1819, for the purchase of Florida from Spain, that jurisdiction had been withdrawn to the Sabine;—and how efforts had been made by several preceding administrations to re-acquire it to the extent of its original boundary, by amicable negotiations with Mexico. He knew, moreover, that the independence of Texas had been recognized by the United States, England, France, and Belgium; and that there was a general desire among the people there to become annexed to the United States, and that in all probability, this would have been already accomplished but for such continued hostilities between Mexico and that country as might have involved the United States in war with a neighboring and friendly power.

Discarding, therefore, the cautionary and judicious policy of Jackson with reference to the recognition of Texan independence, he conceived the idea of inaugurating such exclusively executive measures as would bring about annexation without the knowledge or consent of Congress or the people. He undoubtedly expected to surprise the country and to win a complete triumph over all adversaries, as he perfectly understood the sympathy of the American people for all struggling republics, and especially for that of Texas, whose independence had been gallantly won by

the swords of their own kindred, a large proportion of whom had emigrated from the United States. Consequently, the means he employed were entirely secret—studiously kept so from what he evidently supposed to be prudential motives. So far as appears, there was nothing known of his purpose beyond the executive departments of the government until April 22, 1844, when he laid before the Senate for ratification a treaty with Texas for its annexation to the United States. This was the culmination of a series of executive maneuvers practiced by the administration without the knowledge of Congress and the country, and when it is considered that it occurred just before the conventions of the two old parties for the nomination of candidates for the Presidency were held, the prominent precedent events which led to it deserve to be kept in remembrance, so as to incite popular vigilance to such an extent that they shall never be repeated.

In September, 1843, the Minister of Foreign Affairs, of Mexico, in an official communication, informed the United States Minister, then in the City of Mexico, that the annexation of Texas to the United States would be regarded by Mexico as a “declaration of war” against that country. The latter offered no explanation of the purposes of this government, but communicated the facts to the administration and awaited official instructions. Abel P. Upshur, of Virginia, was then Secretary of State, and he, on October 20, 1843, notified the Minister of the United States that the language of the Mexican Minister of Foreign Affairs was considered “offensive” because it was in the nature of a “threat;” and required him to notify the government of Mexico that as Texas was “an

independent and sovereign power, competent to treat for herself," the United States "will not feel themselves under any obligation to respect" the former relations between Mexico and Texas, and that if war ensued in consequence of annexation, "Mexico herself will be the aggressor, and will be alone responsible for all the evils which may attend it." A correspondence then ensued between the Secretary of State and General Almonte, the Mexican Minister to the United States, at Washington City, which, although of the nature of a diplomatic duel, ended as it had begun,—neither party conceding anything material to the other. The last important letter of the Secretary of State was written a short time before he lost his life by the explosion of a gun on the United States steamer Princeton. Previous to that sad event, and while this correspondence was in progress, a "private citizen" of Washington City—who, Thomas H. Benton, of Missouri, in his "Thirty Years in the United States Senate," says was General Duff Green—was sent to England to discover what effect the annexation project had produced in that country. The full report of this private citizen, whoever he was, was not made public, but enough of it was obtained to show its character and the important bearing it had upon subsequent events. On August 8, 1843, Upshur, Secretary of State, in an official communication to our *Charge d' Affaires* in Texas, notified him that he had obtained information by "a private letter from a citizen of Maryland" to the effect that "the abolitionists of Texas" were negotiating with the British government,—that their representative had "submitted his project for the abolition of slavery in Texas"

to Lord Aberdeen, the Prime Minister of England, and that the project was this: "That there shall be organized a company in England, who shall advance a sum sufficient to pay for the slaves now in Texas, and receive in payment Texas lands; that the sum thus advanced shall be paid over as an indemnity for the abolition of slavery;" and that he was authorized by the Texan Minister in London to say to the Secretary of State, "that Lord Aberdeen has agreed that the British government will guarantee the payment of the interest on this loan, upon the condition that the Texan government will abolish slavery." After this most extraordinary statement, the Secretary of State—with the view, undoubtedly, to excite our representative to Texas to additional promptitude and diligence,—informed him that this "private letter" was written by "a man of great intelligence, and well versed in public affairs," and that he—the Secretary of State—had "every reason to confide in the correctness of his conclusions."

It is difficult to conceive the degree of credulity necessary to give credit to such a story as this. It bears upon its face satisfactory evidence of having been manufactured for the occasion by some one who regulated his conduct by the motto, "the end justifies the means." That it was false must have been apparent to those who availed themselves of it, and that it was known to be so by the administration before the annexation treaty was laid before the Senate, there are record facts to prove. When information of it reached the Foreign Office of the English government, Lord Aberdeen, by a dispatch dated December 26, 1843, instructed the British Minister at Wash-

ington City to lay the same before the Secretary of State. This he did February 26, 1844, nearly two months before the treaty was sent to the Senate, by furnishing the Secretary of State a copy of Lord Aberdeen's dispatch, wherein he emphatically contradicted this improbable, if not impossible, story, by declaring that England had no intention of interfering with slavery in Texas, but would leave that country free to make her own "unfettered arrangements" touching her own affairs. There are other complications which the intelligent searcher after the "truth of history" will find both interesting and instructive, but the facts here stated are sufficient of themselves to conclusively establish the propositions, first, that the pretext held out to justify the administration in making the treaty of annexation was an agreement between the Earl of Aberdeen and the abolitionists of Texas for abolishing slavery in Texas; and second, that this was known by the President to be false and unfounded when he laid the treaty before the Senate! Comment upon a fact so humiliating to the nation is unnecessary.

Nevertheless, it gave rise to the demand, as Benton clearly shows, for the "*immediate*" annexation of Texas, in order to protect slavery as it existed in the Southern States; and steps were promptly taken to arouse the fears of the slave-holding population, so that by placing the motto of "Texas or disunion" upon their banners, they might consolidate the South and stimulate their allies in the North, in order to control the approaching conventions for the nomination of Presidential candidates. Benton gives the proceedings of several Southern meetings, at one of which, held in South Carolina—after John C. Cal-

houn had been appointed Secretary of State as the successor of Upshur—it was resolved that if Texas was not admitted into the Union the slave States should “proceed peaceably and calmly to arrange the terms of a dissolution of the Union,” and annex Texas to a new Southern confederacy.

The annexation treaty having been thus procured and laid before the Senate, April 22, 1844, so short a time before the meeting of the two nominating conventions, it is obvious that Tyler indulged the hope, if not the expectation, that the one or the other would see in it such an exhibition of sagacity and statesmanship as would render it unsafe to pass him by without recognition. In point of fact, it was understood at the time to be “a bid for the Presidency.” To the credit of the two parties, however, it did not disturb the surface of the political sea with a single ripple, in so far as the Presidential nominations were involved. The convention of those who had elected Harrison and Tyler met May 1, 1844, and nominated Henry Clay for President and Theodore Frelinghuysen for Vice-President. That of the old enemies of Harrison and Tyler—whose praises of the latter had been unbounded since his *veto* of the bank bill—met May 27, 1844, and nominated James K. Polk for President and Silas Wright for Vice-President; and when Wright declined, put George M. Dallas in his place. And what, after all the pains he had taken and all the plottings he had contrived, must have wounded Tyler deeply, he did not receive a single vote in either convention, and soon after, June 7, 1844, the Senate rejected his annexation treaty by a vote of thirty-five against it with only sixteen in

its favor. Then, if not before, he was brought to realize his true position,—made so plain that no sagacity was required to see it. The convention that nominated Polk and Dallas had inserted in its platform a demand for “the *re-annexation of Texas* ;” and Wright, its first choice for Vice-President, as well as several other prominent supporters of Polk and Dallas, voted against the annexation treaty. When Tyler saw this he must have been stupefied if he did not realize how he had been moved about like a pawn upon a chess-board, and that those whom he had obeyed had concealed from him their secret purpose to ultimately annex Texas in some way, whereby the whole credit should inure to them and no part of it to him. And thus it was he found that the words of promise, so profusely held out to him, were all broken, and where he had expected to find friends he found enemies ready to stab him from behind. And more than that, he found them playing with “loaded dice,” and perfectly familiar with all the tactics of the ring, as well as with all the methods of manipulation necessary to win success. Whatsoever he may have been before, from that time he became a political nonentity, powerless to promote his own fortunes or to injure those of others. If he had planted seed which he expected to produce a rich and bounteous harvest, he was then brought to the harrowing conviction that other sickles, and not his own, would reap it.

The events connected with the making of the treaty for annexing Texas, without any notification to the people and without their approval, ought never to be forgotten, but should be held in perpetual remembrance in order to

guard well the future integrity of the nation. We have seen how false was the pretext that England was plotting and had agreed to compensate the owners of slaves in Texas in the event of their emancipation, and that the absolute falsity of this pretext was authoritatively communicated to our Secretary of State on February 26, 1844. Yet the treaty was made by Tyler and Calhoun with the Ministers of Texas on April 12, 1844, and sent to the Senate April 22, 1844. These facts are sufficiently startling of themselves, in view of the British Minister's notification to Secretary of State Upshur, but they become more so in view of the further fact that between those two dates, on April 19, 1844, Secretary of State Calhoun instructed our *Charge d'Affaires* in Mexico to notify the Mexican government that the treaty had been made from no hostile or disrespectful feelings towards that country, but "that the step had been *forced* on the government of the United States in self-defense, *in consequence of the policy adopted by Great Britain in reference to the abolition of slavery in Texas.*" The knowledge of these false pretenses could not be concealed from the Senate, although they were successfully hidden from the country, and when exposed to that body they were found to be so unjust to Great Britain that in order to condemn them as emphatically as possible, it rejected the treaty by a vote of more than two to one, although some of the Senators who voted with the majority favored annexation both then and afterwards. This signal and merited defeat of the treaty was a fortunate event in the politics of the country, because it taught those who had engineered the scheme that the Constitution had not been abrogated

and that the people had not vacated the seat of sovereign power. They were made to realize that the time had not arrived when the treaty-making power could annex foreign territory, with the stipulation that it should be admitted into the Union as one of the States, when the Constitution confides the duty of creating new States only to Congress, representing the whole body of the people. There has been no time since, and it is hoped that none will hereafter arrive, when the experiment could be repeated.

It is quite certain that much of the preliminary planning by Tyler's administration to bring about the annexation of Texas will never be known, the principal actors having carried with them to their graves such secrets as they did not deem it expedient to expose. Enough, however, has been made known to show, not merely the ardency of their purpose, but the extraordinary means adopted to accomplish it. After the war with Mexico had begun, in consequence of annexation, and while the bill appropriating \$3,000,000 to carry it on was pending in Congress, General Samuel Houston, one of the Senators from Texas, made a carefully prepared speech in the Senate, February 19, 1847, in which he minutely detailed the means resorted to by Tyler's administration to obtain the consent of Texas to be annexed. He took special pains to say that Texas would not consent unless she could obtain satisfactory "guarantees" for her own protection, because annexation "would certainly provoke hostilities with Mexico and expose her to all the hazards of a war," which she would be unable to encounter with-

out the aid of the United States. Texas, he said, "was wooed and won to join this Union," and he did not hesitate to tell how it was done. It seemed, according to him, that some previous negotiations upon the subject had been suspended, and that in consequence Texas had become indifferent upon the subject and treated the question of annexation "with apathy." Upshur, Tyler's Secretary of State, wrote the United States *Charge d'Affaires* in Texas, directing him to adopt such measures as would "induce the government of Texas to accede to the proposition of the President of the United States by re-opening negotiations." It is deemed best to give what followed in his own words, because any synopsis of them would appear incredible. He said:

"Before the government of Texas would entertain the application made by the government of the United States to send a Minister to Washington City to treat for annexation, the Executive of that country required, through her Secretary of State, that the government of the United States should *pledge itself that a squadron sufficient in the estimation of the President of Texas should float on the Gulf, and that five hundred cavalry and one thousand infantry should be stationed on the frontier of Texas, and that both the land and naval forces should be subject to the order of the President of Texas.*

"But this was not deemed a sufficient guarantee for Texas, and the President was required to pledge himself that in case of the *failure of annexation* from any cause, *the United States would enter into a defensive alliance with Texas against Mexico, and give assurance or guarantee to the independence of Texas.*"

Having established the proposition that Texas was "wooded" into annexation by the importunities of the United States, after she had decided to remain an independent power, he proceeded to demonstrate one of the most potent and controlling facts in the whole annexation programme,—that is, that the administration of Tyler, influenced by its overweening anxiety, agreed to the "guarantees" proposed by the Ministers of Texas—Messrs. Henderson and Van Zandt—who were then in Washington City as the representatives of the independent government of Texas. He read to the Senate a letter from Calhoun, Secretary of State, to these Ministers, whereby he informed them that their letter to Upshur of January 17, 1844,—about six weeks before Upshur's death—had been laid before the President, who had instructed him to say to them "that the Secretary of the Navy *has been* instructed to order a strong naval force to concentrate in the Gulf of Mexico to *meet any emergency*; and that similar orders *have been* issued to the Secretary of War to move the disposable military forces on our Southwestern frontier *for the same purpose*. Should the emergency arise to which you refer in your note to Mr. Upshur, I am further directed by the President to say, that *during the pendency of the treaty of annexation*, he would deem it his duty to *use all the means within his power by the Constitution to protect Texas from all foreign invasion.*" And then, after having shown the foregoing facts in order to avoid the possibility of being misunderstood, Senator Houston proceeded to express the view which Texas took of her relations with the United States after the letter of Calhoun, as Secretary of State. Refer-

ring to the land and naval forces, ordered to the Gulf and to the Southwestern frontier, he said: "They were to be *subject to the President of Texas, and act at his bidding.*" Again: "They were both to be *subject to his command*; consequently they were both to be employed for *the protection of Texas, which was then a foreign country.*"

The facts thus explained, with great distinctness, by Senator Houston, are eminently important and suggestive. They establish the following extraordinary proposition: *First*, that the annexation of Texas was brought about by Tyler's administration after Texas had decided to abandon the project and remain independent; *second*, that it was persistently urged upon Texas with the full understanding that it would result in war with Mexico; *third*, that, in order to accomplish it, the administration pledged the government of the United States to defend Texas by military and naval forces; *fourth*, that, in order to prepare for this, a naval force was concentrated in the Gulf of Mexico, and a portion of the army sent to the Southwestern frontier; and, *fifth*, that these naval and army forces were placed under the command of the President of Texas. And when the additional fact is observed that the letter of Calhoun to the Texan Ministers, informing them that the United States offered these "guarantees" to Texas, was dated April 11, 1844, and that the annexation treaty was agreed to by Tyler *the next day*—April 12, 1844—the conclusion is inevitable that these promises of Tyler, Upshur and Calhoun were the sole inducement to the treaty and the consideration to be paid for it.

Calhoun—who was then in the Senate—felt himself constrained to notice Houston's speech, in so far as it placed Tyler's administration in the attitude of having brought on the war with Mexico. In doing this he admitted the authenticity of his letter of April 11, 1844, to the Ministers of Texas, and the conditions of guarantee as therein stated, but met the charge of responsibility for the war, as made against Tyler's administration, as follows: "All that the administration could then do was to place a fleet on the Gulf, and to send General Gaines on the frontier; and if Mexico should make any hostile movement, *to bring the subject before Congress.* The administration was aware that the question of war was with Congress and not with itself. The administration was resolved to do all that it could constitutionally do; but on the question of war it could only make a recommendation to Congress, and that it would have done."

There is nothing in the law of nations which forbade the annexation of Texas. She had sundered her relations with Mexico by successful revolution and had established and maintained an independent government. In this she occupied an attitude analagous to that of the United States when they declared their independence of Great Britain, and also of Mexico herself when she threw off the Spanish yoke. Although General Jackson, in a special message to Congress, December 21, 1836, had recommended "that we should still stand aloof" from the condition of hostilities between Mexico and Texas and not then recognize the independence of the latter, yet this was done soon after, in March, 1837, and was followed in 1840 by England, France and Belgium. So

that, at any time during Tyler's administration the United States had the undoubted right, by the principles of international law, to annex Texas. But there had existed for a long time a controversy between Mexico and Texas about the western boundary of the latter, whether it was the Nueces or the Rio Grande river, and the United States had no right, either by international or other law, to disregard the existence of this controversy and take from Texas any territory which rightfully belonged to Mexico. Hence, in annexing Texas it was our duty to see that there was no unjust encroachment upon the rights of Mexico—in other words, that we should not permit Texas to transfer to us territory which did not belong to her or such as was in dispute between her and Mexico. And such was the relation in which the United States stood to Mexico both before and after the rejection of the annexation treaty with Texas. In this view the treaty, if it had been ratified, would have furnished Mexico no just cause of war against the United States if it contained necessary provisions for adjusting the question of disputed boundary with Mexico. On the other hand it would have been an act of friendship toward Mexico, and it is quite probable that she would have so accepted it—at all events it may be fairly presumed that President Paredes, of Mexico, meant this when he said, after the war broke out, that he "did not declare war against the United States," because that could only be done by the Mexican Congress, but was only acting in "defense of Mexican territory which is invaded by troops of the United States," manifestly meaning the disputed territory between the Nueces and the Rio Grande. How-

ever this may have been, there were domestic questions involved of equal if not far greater importance to us, arising out of the conduct of Tyler's administration in agreeing to the "guarantees" exacted by the Texan Ministers before the treaty and as its inducement, and in so concentrating our navy in the Gulf and part of our army upon the frontier, as to indicate a preparation for war, if not an actual invitation to Mexico to that effect. In speaking of these movements and "guarantees," Senator Benton afterwards said in debate: "They, the President [Tyler] and his Secretary of State [Calhoun], made the war themselves, and made it unconstitutionally, perfidiously, clandestinely and piratically. The secret orders to our army and navy were piratical, for they were without law, and to waylay and attack a friendly power with whom we have a treaty of amity." This is strong language, perhaps too strong, but the mildest terms in which the matter can be properly spoken of is to say of it that it was an actual threat of war flung in the face of a neighboring nation with which we were at peace, with a full knowledge upon our part that she could not, by any possibility, raise an army to contend against ours in the field or prevent us from appropriating to ourselves whatever portion of her territory we coveted.

After the defeat of the annexation treaty, at the first session of the Twenty-eighth Congress, and before the meeting at the second session of the same Congress, a Presidential election was held and Polk was elected. It was claimed that the question of annexing Texas was so immediately involved in that canvass that this election settled it affirmatively, and it is fair to say that, after the

American fashion, it did. At all events, it was done at that session by a joint resolution which passed both houses, and became a law by Tyler's approval on March 1, 1845—only three days before the close of that Congress and the termination of Tyler's administration. The history of this resolution in the various stages of its progress is of no consequence now, but it is important to bear in mind that it did not undertake to define the boundaries of Texas, but, on the contrary, annexed the territory "properly included within, and *rightfully belonging* to, the republic of Texas," with this explicit condition, that the State of Texas was to become an integral part of the Union, "subject to the adjustment by *this government of all questions of boundary that may arise with other governments.*" The plain and palpable meaning of this is that Congress refused to recognize either the Nueces or the Rio Grande as the boundary between Texas and Mexico, or to define it in any way, but, instead, was especially particular in providing that the question should be left open to be thereafter arranged by negotiation with Mexico, in the method common among nations, and that it should be done by the "government" of the United States, and not by the President.

Tyler doubtless considered this a vindication of the whole line of policy he had pursued, and that the honor of adding another star to the national banner would attach to his administration. The territory acquired was sufficient for an empire, but that weighed nothing in comparison with the honor and glory he had won by triumphing over adversaries whose forces he had dispersed by his skill and prowess! He had no party at his back to signalize the

grandeur of his triumph by deafening shouts of applause, but, as the world judges by results rather than by details, his name would become conspicuous in history as the author of measures which had culminated in marking out the nation's highway to the Pacific! That he indulged in these feelings nobody doubted at the time, for he was so constituted as to be unable either to suppress or conceal his governing emotions. But his exhilaration was for a brief period only, for it did not take him long to discover that those into whose arms he had thrown himself and whose embraces he had supposed to be sincere, had resolved that his work should inure to their honor alone, by so making up the record of history that his name should be omitted in the recitals which proclaimed their own triumphs. All this will be made to appear hereafter, when the events which followed the close of his administration are detailed with particularity enough to show that when his immediate successor entered upon the work of outbidding him for fame, he found it necessary to exercise the royal prerogative right to trample upon the Constitution, as if its only value consisted in the parchment preserved in the Department of State.

What I have said of Tyler is for the purpose only of explaining the grounds upon which my estimate of his official character rests. It is written far more in grief than anger—for whatever animosity I may once have felt toward him has long since died away—having been buried with him in the tomb. I was his friend in sincerity, and never his personal enemy, even when our political differences were at their height. It pained me when our relations were changed—which did not occur until,

with his executive saber, he aimed, what seemed to me to be, a deadly blow at the happiness and prosperity of the country. He may have persuaded himself that he was right, but the whole course of subsequent events, as appears clear to my mind, attests the reverse. What the nation has suffered from his executive perverseness any intelligent man can see by casting his eyes back upon the last fifty years of our history. If he had consented that the country should be supplied with a sound and stable currency, our domestic trade, both at home and upon the seas, would have enjoyed unparalleled expansion and development. If he had not agitated and excited the country with the proposition to annex Texas at an inopportune time, the question of enlarging the area of slave territory would not have been likely to lead to sectional animosity and strife; and the fortunes of that young and interesting republic—the heroism of whose sons was not surpassed by that of the Greeks at Plataea—might soon have been blended with our own, peacefully and without complaint from any quarter. Then, the boundary line between the United States and Mexico could have been settled in the spirit of amity and concord, to the mutual satisfaction of both governments;—our navy would have been left to pursue its rightful occupation of protecting our commerce upon the ocean, and our army would not have been required to advance with hostile purpose to the Rio Grande; the war with Mexico would have been avoided; all the territory we have since acquired from Mexico might have been peacefully obtained for less money than it has cost, and without the sacrifice of human life; the question of introducing or prohibiting slav-

ery in that territory would not have placed the sections in deadly hostility to each other, but would have been settled in that spirit of amity and good faith which gave birth to the Union; and instead of the terrible and devastating civil war through which we have passed, the sixty-five millions of people who now occupy the territory from sea to sea would furnish a brighter and more attractive example than they do to the millions of other countries who are struggling after the possession of those rights which we, in the face of all the forms of imperialism, have declared to be natural and inalienable.



Richard W. Thompson.

FROM A DAGUERREOTYPE 1850.

JAMES K. POLK



James H. Falk

CHAPTER XI

JAMES K. POLK

DURING Polk's administration the public patience was severely tried. All protestations against the violation of the Constitution were answered by the roar of cannon and the deafening shouts of maddened partisans, who seemed to suppose that patriotism consisted only in a clamorous demand for enlarging the borders of the nation, no matter whether the means employed were right or wrong. The history of that period, therefore, should be well and carefully studied, in order to understand by what strange combinations a man of mere mediocre ability and without national reputation for statesmanship became enabled to defeat Van Buren—the acknowledged choice of Jackson—and reached the Presidential office. I do not contest, in the least degree, the claim he had upon his friends for such respectful consideration as should never be withheld from a well-spent private life, but can not refrain from asserting that, in my opinion, his intellectual qualifications never exceeded the average among public men. One of his confidential friends, from his own State, whose good and generous qualities won my personal esteem, wrote a history of his administration, in which he referred to his election as "indeed remarkable." This expressed the general sentiment. That he discharged his official duties

industriously, was well attested, but that he possessed the qualities which entitled him to be classed among American statesmen of commanding ability, was not claimed for him even by his most zealous defenders. The highest round he reached in the ladder of fame was that of respectability—nothing more. His nomination for the Presidency took the whole country by surprise, and by none of the people more than those of Tennessee, among whom he had lived nearly all his life. The Legislature of that State had, without any indication of enthusiasm, nominated him for the Vice-Presidency, but this met no response from any other part of the country, and was considered as merely complimentary. There was no popular demonstration in his favor even for this office. In view, therefore, of all the attending circumstances, his nomination for the Presidency can be viewed in no other light than as the result of political maneuvering upon the part of those who had some secret object to accomplish, and who, in order to assure success, were indifferent regarding the means they employed.

No sooner had Tyler indicated the purpose to bring about the annexation of Texas, in order to recover somewhat the popularity his administration had lost, than a class of politicians, both in the North and the South, conceived the idea of circumventing him by strategy, so as to take the matter out of his hands and transfer it to their own—that is, in common phrase, to steal his thunder. This purpose was soon manifested by their opposition to his annexation treaty, but afterwards became more palpable when they endeavored to denationalize the question by narrowing it to a controversy between the

sections for political supremacy. In order to accomplish this their first and chief contrivance was so to present the question as to make the approaching Presidential nominations dependent upon it—that is, to give it such prominence as to dwarf all other political questions. Hence the opinions of the Presidential aspirants were sought after. There were but two of these—Van Buren and Clay—each of whom was recognized as the representative of his party. The former had the indorsement of Jackson, whose fidelity to the Union was vouched for by the policy of his own administration, and the latter had multitudes of friends who were tied to him by a chord of sympathy which passed from him to them like an electric current. The two represented all the varieties of political sentiment then supposed to be involved in a Presidential contest, even the most minute differences of opinion. To repeat, each was the acknowledged representative of his party and would have remained so had it not been for the method these scheming politicians adopted to multiply the sources of disaffection between the sections in order to assure the increase of the slave power and keep the government under their control. In answer to the interrogatories put to them they agreed in opposing the *immediate* annexation of Texas, but for different reasons, which are of no present consequence. Each expressed his opinion unequivocally. Van Buren's letter was dated April 20, 1844, a little over a month before the meeting of the nominating convention held by those with whom he had been accustomed to act. This gave time enough to formulate a plan of opposition to him so as to secure his defeat, although up to that time

his nomination had been generally conceded, more especially because it was understood that Jackson desired it. This plan was secretly and cautiously contrived by those well skilled in that particular method of procedure—adepts in the art—but it was not developed until the nominating convention met, May 27, 1844, and then only by the false pretense of fairness, set up and persisted in on purpose to gain an undue advantage. As it was the first time in our history when the minority openly obtained the mastery over the majority, and the authority it then acquired has been perpetuated until the present time, it is still necessary that the precise method of proceeding shall be thoroughly exposed. Wrongs do not right themselves, and unless brought to light are apt to perpetuate their bad influences for an indefinite period.

The projectors of this scheme, to take the choice of a Presidential candidate out of the hands of the majority, where it had been popularly lodged as a safeguard against imposture, were successful in their first effort—which was to require two-thirds, instead of a majority, of the votes of the convention to make a nomination. Of course such a proposition was at first objected to, for reasons which will readily occur to all intelligent minds, but the expediency of winning success was more potent than the obligation to preserve a fundamental principle, hitherto considered inviolate. Notwithstanding it was entirely new in American politics, the convention, after an animated and somewhat violent struggle, was persuaded to accept it, possibly without the suspicion upon the part of the majority of the result designed to be accomplished by it. However this may have been, it put winning

cards in the hands of the *immediate* annexationists, who were too sagacious and too well trained not to know that, with a consolidated South upon their side, they could control the nomination, because, although a majority could, the necessary two-thirds could not, be acquired in the divided North. And they calculated rightly—understanding perfectly well that the desire for success was to such a degree the controlling impulse of the convention that but little regard was paid to the means of obtaining it. The convention remained in session three days, all of which were days of excitement. There were plottings and counter-plottings, and it required nine ballots to produce a nomination, notwithstanding Van Buren had no avowed competitor, and was, besides, the favorite of Jackson, who, although in retirement at the Hermitage, was so influential that the conspiring malcontents were afraid of open opposition to the candidate of his choice, and insidiously carried on the plan of opposition to him by the invention of the two-thirds rule. Upon the first three ballots Van Buren received, respectively, 146, 127 and 121 votes, while the remaining votes were scattered among five others, none of whom had been put in nomination, and who, consequently, were not candidates. Upon either of these three ballots Van Buren, having received a majority of the votes, would have been nominated but for the two-thirds rule, which was in direct conflict with the universal American custom and the spirit of our popular institutions. It was not intended, however, that he should be nominated, or any other man who refused to put himself under the complete dominion of the faction who were plotting against the majority,

and, therefore, against the fundamental principles upon which popular government rests. Everything that occurred proves this. Van Buren began to fall off after the first ballot, and Cass, who had not been known as a candidate, ran ahead of him upon the fifth, sixth, seventh and eighth ballots—having also received a majority of the votes, that is, 123, on the seventh ballot. But the minority were no better satisfied with Cass than with Van Buren, because he was not committed to *immediate* annexation, and steadfastly adhering to their resolution not to permit a nomination until they could procure a candidate obedient to themselves, despite the majority, they continued to scatter their votes among those who were not candidates. At this stage of the proceedings, and upon the eighth ballot, Polk was brought forward for the first time by those who had previously rallied under the flag of "Texas or disunion." His opinion had not been sought by letter, as that of Van Buren had, but they knew him well enough to know they could trust him, more especially as they had the power to demonstrate by another ballot that he would be nominated, if at all, from a slave State, while Van Buren and Cass were defeated after each had received a majority, because they were both from free States. Accordingly, upon the eighth ballot, Van Buren received 104 votes, Cass 114, Buchanan 2, Calhoun 2 and Polk 44. The effect of this was exactly what was designed, that the New York friends of Van Buren became indignant at the discovery of the trick played upon them by the two-thirds rule, and withdrew his name, declining to have him sacrificed at the behest of a factional and sectional minority. Then

the question became one of the utmost magnitude—whether to permit this minority to dictate the selection of Polk, or dissolve the convention without making a nomination. After much wrangling and tribulation, the majority yielded to the minority—preferring that to dissolution—and Polk was nominated on the next, or ninth, ballot, not unanimously, but by a vote of 233, with 31 cast against him. At no nomination ever made for the Presidency was there so much general surprise.

To call a result thus produced a compromise, is to deal with it much too mildly. It was nothing less than compulsion, in the extremest sense. And when those who had ruled the convention by means of the two-thirds rule discovered that it was likely to be so regarded by thoughtful and considerate people—some of whom were in the convention and courageous enough to express their disapprobation—they endeavored to appease the rising wrath of the friends of Van Buren and Cass, by nominating Silas Wright, one of the most distinguished and confidential friends of the former, for Vice-President. In addition to this motive, which was too palpable to be disguised, it was understood that the nomination of Wright, he being from New York, was an effort to conciliate those of the North who supposed the Union to have been formed for other objects than merely to strengthen the slave power. But the scheme failed at this point to bear the fruits expected from it, for Wright promptly and peremptorily refused to become a party to it by declining the nomination. It was understood that he considered it as insidiously aimed at his friend Van Buren and as likely to be fraught with mischief to the

country; and in order to give more significance to the course he felt constrained to pursue, he voted in the Senate, less than two weeks after, against the treaty for annexing Texas. After he declined to play the part assigned to him, George M. Dallas was nominated for Vice-President, and the convention adjourned, greatly to the discomfiture of Van Buren and his friends, but to the undisguised joy of those who were devoting their energies to strengthening the slave power by the *immediate* annexation of Texas. In the whole movement this was the primary and governing incentive, while the interest of Texas was entirely secondary and incidental.

By the platform of this convention "the *re*-occupation of Oregon, and the *re*-annexation of Texas at the earliest practicable period," were insisted upon in the most emphatic terms, as if, in point of fact, we had been wrongfully deprived of the former by Great Britain, and of the latter by Mexico. These two propositions thus became actual and affirmative issues, while the remainder of the platform was a repetition of the negations which had tied the hands of Van Buren and caused his defeat four years before. Upon these latter, however, great stress was laid by the State-rights and strict-construction party of the South, because, by their theory of government, the States would be increased in power to whatever extent that of the nation was weakened; and by this means these factional leaders of the South would, it was hoped, be able to regain what they had lost in their controversy with Jackson,—that is, the right to nullify all such laws of the United States as they might, regardless of national affairs, consider in conflict with their own local and sec-

tional interests. If they could succeed in increasing the slave power by the *immediate* annexation of Texas—the capital prize in the political lottery upon which their hopes were centered—they were willing to remain in quietude for the time being; and in order to assure themselves of this, they contrived the two-thirds rule, in order to prevent a nomination by the convention until they became masters of the situation. Consequently, when they obtained the nomination of Polk, they dictated the negative platform of 1844, with the special design—if Texas were annexed and the slave power strengthened—of so resisting the National Government that its enactments should be “the supreme law of the land” only when it pleased the slave States to recognize them as such. To carry out this purpose effectually they declared that the Constitution should be “strictly construed”—meaning thereby that nothing should be inferred in behalf of the nation, but that everything deemed necessary by the States should be inferred in their behalf; in other and apter words, that the nation should be reduced to a mere confederation and so shorn of its powers as to be made dependent, even for its existence, upon the consent of rival States rather than upon that of the aggregated millions whose “general welfare” it was intended to protect and advance.

Accordingly, they denied the power of Congress to make appropriations for internal improvements, manifestly hoping to keep the treasury in such a condition of repletion as to furnish the means to extend the slave power by procuring Texas. They denied its power to pay the debts of the States, although no such proposition existed

except in their own imagination, which denial would undoubtedly have been excluded if they had foreseen the complications which made them powerless to resist the demand of Texas for the payment of her debt. They denied the power to foster one branch of industry at the expense of another, an illusion which originated with those who imagined their own prosperity would be promoted by making up the difference between the value of free and slave labor by reducing the former to a common level with the latter. They denied the power to charter a national bank with as much apparent complacency as if Washington and Madison and the Supreme Court of the United States and numerous Congresses and the people had not repeatedly affirmed the existence of that power and the necessity for its exercise when demanded for the development of our domestic and foreign commerce. They denied the power to interfere with the domestic institutions of the States, meaning slavery, well knowing that even the abolitionists did not claim the existence of any such power, and that if one who did could be found here and there in the North he was frowned upon by the multitude and stood a fairer chance to be struck by lightning than he did to obtain a political office. Summing up these allegations it is easy now to see, when the passions of that period have been buried in the graves of the chief disturbers of the public peace, that they were designed to reduce the National Government into absolute inferiority to the States, and to confer authority upon the latter to terminate the existence of the former whenever it denied the right of a factious and sectional minority to subordinate the "general welfare" to their own. Seem-

ing, however, to realize that a national government of exclusively negative authority would be powerless in the presence of the other nations or for self-preservation, they conceded to it only the powers to practice economy, as if this were not the subject especially selected by demagogues for the exhibition of their highest powers of oratory; to maintain the principles of the Declaration of Independence—as if anybody, man, woman or child, desired to set it aside; and to defend and preserve the President's *veto* power—as if that kingly prerogative were absolutely necessary to enable one man to defeat the will of the people and protect them against themselves. Hence, it requires nothing more than average intelligence to see that instead of there having been enumerated in this platform upon which Polk was required to stand, such affirmative powers as the government had been accustomed to exercise since the administration of Washington, and which had assured the growth, prosperity and development of the country, it expressly denied the most important of those powers, leaving them to exist in the State governments or not at all. The platform was, consequently, entirely negative, except in so far as it affirmed the power to *re-occupy* Oregon and *re-annex* Texas—in other words, the acquisition of foreign territory. And thus are plainly and palpably shown the objects intended to be accomplished by Polk's nomination, objects which can be better comprehended when the methods adopted to secure his election are understood, so that a rule may be supplied for interpreting the most prominent measures of his administration.

It was but four years before the time of Polk's candi-

dacy when the abolitionists—or liberty party, as they called themselves—began to assume consequence enough to exercise active influence in a contest for the Presidency. They nominated James G. Birney for President in 1840, and he failed to receive a single electoral vote. Out of 2,413,848 popular votes but 7,059 were cast for him,—so small a portion as to prove to all dispassionate people that no actual danger to the institution of slavery in any single State was threatened. In the North this movement was considered so visionary that it did not create the least agitation of political affairs. But in the South it was strangely magnified into such undue importance that it gave “aid and comfort” to sectional agitators, who defiantly arraigned the whole North for sympathy with it, and allowed their misguided zeal to outstrip their discretion in inflammatory appeals to sectional passion. They stamped their feet with mock indignation upon the most irrefragible proofs that slavery was not in danger, because if the sectional discord they purposely stirred up had died out their occupation, like Othello’s, would have been gone. The election of Polk, as the forerunner of the immediate annexation of Texas, was the stake they played for; and for this they labored to solidify the South both by fear and hope;—fear of Northern aggression, and the hope of acquiring slave territory enough to add four or five new slave States to the Union. This acted reciprocally upon the abolitionists, who, realizing that foreign territory could only be acquired by following precedents which violated the Constitution, re-nominated Birney upon a platform consisting of a long string of impracticable platitudes. And

thus these rival factions—for sectionalism is necessarily factional—forced upon the conservative masses of both sections an issue calculated and designed to inflame the passions and put an end to calm discussion. Each fought with weapons forged in the red-hot furnace of sectional animosity.

Another convention nominated Tyler as his own successor. This had no other visible effect than to excite the apprehension that it would likely weaken Polk in several States to such an extent as to promise his defeat. Tyler was fully aware of this advantage and did not hesitate to avow his resolution to maintain his position, at least until he became assured of his ability to dictate such terms of surrender as were satisfactory to himself and not injurious to those he designated as his friends. Polk himself soon became aware of the actual condition of affairs, and personally engaged in an effort to get Tyler out of the way, as the latter could not take a single vote from Clay—the only competitor he dreaded—but might take enough from him to insure his defeat. And here we reach a point in American politics wholly without parallel, in so far as it involves the direct individual and personal agency of a Presidential candidate. The details would now be rejected as incredible, if they were not attested by the highest and best authority—that is, by Thomas H. Benton, in his “Thirty Years in the United States Senate,” where all the facts are given with particularity of detail.

The *Globe* newspaper, published by Blair and Rives in Washington City, was the “organ” of Jackson’s and of Van Buren’s administrations. Blair, the editor, was not

only a man of irrepressible energy but a writer of great power. He was perfectly familiar with political history and fearless in his method of discussing public questions. During Jackson's controversy with the nullifiers of South Carolina he had denounced them with his accustomed severity, and had become especially odious to Calhoun in consequence of his fierce attacks upon him as their great leader and patron. The *Globe* had been continued under Tyler's administration, but Tyler had an organ of his own, called the *Madisonian*, which shone with an exceedingly dim light by the side of it. As Blair—who was devoted to Jackson and zealous in his defense—refused to become reconciled to nullification any more under Tyler than he had been under Jackson, the nullifying friends of Calhoun considered it important that he should be got rid of in some way. To accomplish this, says Benton, “it was in the month of August, 1844, that a leading citizen of South Carolina, and a close friend of Mr. Calhoun,—one who had been at the Baltimore Presidential convention, but not in it—arrived at *Mr. Polk's residence in Tennessee*, had interviews with him, and made known the condition on which the vote of South Carolina for him might be dependent.” In order that this proposition shall be understood it should not be forgotten that the electoral vote of South Carolina was cast by the Legislature and not by the people, so that it could be easily sold and delivered to whomsoever contributed efficient support to the cause of nullification, and to no other. Consequently, the proposition made directly and personally to Polk by this friend of Calhoun simply pointed out to him the condition upon which he could

obtain the support of the nullifiers of South Carolina and the electoral vote of that State. The condition was this, that Polk, if elected, should "discontinue Mr. Blair as the organ of the administration,"—should discard the old and true friend of Jackson, who hated nullification as intensely as Jackson did, and put in his place one who better understood how to gloss over with smoother words the crime of rebellion. Benton continues: "Mr. Polk was certain of the vote of the State if he agreed to the required condition; AND HE DID SO." The transaction was simple—wholly free from complications—and all its details were easily understood. It was nothing more nor less than an offer to sell the electoral vote of a State, and the acceptance of the offer by the chief beneficiary—himself a Presidential candidate! True, this acceptance involved a political alliance with the most vindictive and violent enemies Jackson ever had, at the time when they were accustomed to round off some of their most eloquent and impassioned periods in defaming him. How well it verifies the old adage—"politics makes strange bedfellows!" All the parties would have made apt disciples of the great Talleyrand, the political magician of France; or, it may be, he could have learned from them some instructive lessons in dissimulation.

Tyler was hostile to Blair because the *Globe* had attacked him and his administration; and Calhoun, his Secretary of State, reciprocated this feeling, because the same paper, in its defense of Jackson, had characterized nullification as treason. The contrivers of this conspiracy knew all these things, as they also knew that Tyler's passions

could be played upon to their profit, if he could be approached properly by one who, like Polk, might have it in his power to benefit either him or his friends. Tyler had himself tried to induce the *Globe* to change its course toward his administration by "a printing job of \$20,000," but Blair was inexorable and could not be purchased. "It now became," says Benton, "the interest of Mr. Polk to assist Mr. Tyler in punishing, or silencing that paper; AND IT WAS DONE." The first necessary step was "to get Mr. Tyler out of the way of Mr. Polk," by getting "Mr. Blair out of the way of Mr. Tyler." What a field for the display of strategic genius, upon the part of two American politicians, one of whom actually filled the Presidential office, and the other was plotting to obtain it! Polk, from the beginning, was anxious, of course, to get Tyler out of his way, and became equally anxious to get Blair out of the way also, after the visit of Calhoun's South Carolina friend, because nine electoral votes were dependent upon it—a most important factor in a Presidential election he then considered by no means certain. As matters progressed, the two objects—getting rid of both Tyler and Blair—grew in importance and seemed more united together; for we learn from Benton that one "who afterwards became a member of his [Polk's] cabinet, wrote to him in July, that the main obstacle to Mr. Tyler's withdrawal was the course of the *Globe* towards him and his friends;" and another friend urged him by all means "to devise some mode of inducing Mr. Tyler to withdraw." Everything was conducted in the utmost secrecy and was strictly confidential, as it was absolutely necessary to conceal it from the sin-

cere friends of Jackson,—for if the “old hero” had discovered that Polk was scheming to be made President by a combination with the nullifiers, and with Calhoun at their head, no power upon earth would have been sufficient to prevent him from denouncing them before the nation;—in which event Polk would have stood about an equal chance of being chosen Sultan of Turkey as he would to have been elected President.

It was easier to plan than to execute the scheme to get rid of Blair or silence the *Globe*. There was no direct method of accomplishing either, for neither Blair nor Rives could be intimidated. Therefore, another project was concocted, which was to purchase the *Globe* and convert it into a paper that should defend Tyler’s administration specially including the Department of State under the management of Calhoun, and to advocate Polk’s election! To execute this purpose was no easy matter, for the *Globe* establishment was of great value—either more than the “allied powers” could raise, or, if they could, than they were disposed to risk upon an adventure so hazardous. Being so desperately bent, however, upon accomplishing their object, and having learned how effectively “the ropes” which led into and out of the national treasury could be handled by dexterous fingers, they prevailed upon the Secretary of the Treasury to cause \$50,000 of the public money to be transferred to an obscure bank in Pennsylvania, at a point where no public money was disbursed, so that it could be made available for the purchase of the *Globe*. Steps were then taken by those who controlled this obscure bank to notify “a gentleman in Tennessee,” who was Andrew Jackson Donelson, that

this \$50,000 could be made available for "establishing a new government organ in Washington City," of which he could be made the editor, and requesting him "to come on to Washington for the purpose." Donelson was offended by this proposition and indignantly made the transaction known to Jackson, whose private secretary he had been. Benton says: "His (Jackson's) generous and high blood boiled with indignation at what seemed to be a sacrifice of Mr. Blair for some political consideration, for the letters were so written as to imply a *recognition on the part of Mr. Polk* and of two persons who were to be members of his cabinet," which latter fact shows how well and sagaciously the plan must have been laid, when the services of prominent public men were secured in aid of such an undertaking by the promise beforehand that they should become cabinet officers in the event of success! If Jackson had been informed of the combination with the nullifiers personally made by Polk in order to secure the electoral vote of South Carolina his wrath would have been far greater and more violent than it was. But as this had not been communicated to Donelson, nor by him to Jackson, the latter had knowledge only of the efforts in progress to obtain the *Globe* and get Blair out of the way. He accordingly wrote immediately to Blair and informed him of what was going on, telling him also that the original plan was, in the event that Donelson should decline the editorship of the new organ, that Ritchie, of the *Richmond Enquirer*, in Virginia, should be selected for that purpose. Jackson also informed Polk what he had learned from Donelson and expressed plainly to him his disapproval of the demoralizing

scheme. What afterwards occurred beyond this between the parties immediately engaged, with reference to further preliminaries, has not been exposed, and, of course, never will be. The following facts, however, have become historical:—that, notwithstanding Jackson's protest, the conspirators consummated their purposes in spite of him; the \$50,000 of public deposits were used to purchase the *Globe*; Blair having been induced to sell, laid down his editorial pen and was silenced. The *Union* newspaper was established in place of the *Globe* as the organ of the combination and advocate of Polk's election. Ritchie became its editor; Tyler withdrew as a candidate for President in favor of Polk, the conditions of the alliance between Polk and the nullifiers agreed upon at the beginning of the canvass with the "leading citizen" of South Carolina were fulfilled, and the nine electoral votes of that State were cast for him, and Polk and Dallas were elected over Clay and Frelinghuysen. And now, after the lapse of nearly half a century, when the chief actors are insensible alike to praise or censure, these startling facts are revived for the purpose only of stimulating the popular vigilance and suggesting that, in its absence, our institutions are in perpetual danger of being placed in serious peril by the machinations of those who suffer their ambitious longings after power to become their controlling impulse. Among the lessons of universal history there is not one more impressively taught than this—that the walls of the strongest fortress may be undermined when the watchmen are asleep.

The election by which Polk acquired the Presidency in 1844 shows, in a striking degree, the working of our

elective system. The whole popular vote cast was 2,698,611. Of this Polk received 1,337,243; Clay, 1,299,068, and Birney, 62,300. As the total vote cast for Clay and Birney was 1,361,368, it will thus be seen that Polk was 12,062 votes short of a majority, and, consequently, in so far as the votes of the people were concerned, became the President of the minority, and not of the majority. A like result followed the election in the State of New York. There 485,881 votes were cast, of which Polk received 237,588; Clay, 232,481, and Birney, 15,812. Hence, he had but a plurality of only 5,352 over Clay, while he fell 10,705 short of the majority. Yet the thirty-six electoral votes of that State were cast for him because of this small plurality, whereas, if it had been withheld in obedience to a decision of the majority, the election of President would have devolved upon the Congressional House of Representatives. Although, therefore, he legally became President, notwithstanding a majority of the votes were cast against him, neither he nor his friends were justified in inferring, as they did, that his election was an approval of the *immediate* annexation of Texas, because, as Clay and Birney were both opposed to that policy, and their joint vote exceeded his by 12,062, it was condemned by that majority—not very large, it is true, but, nevertheless, an actual majority. The responsibility for the violation of the popular will, by the defeat of Clay, rests upon the friends of Birney—for if the latter had not been a candidate Clay would undoubtedly have been elected, and many of the disastrous consequences which have since ensued—injurious alike to all sections of the country—would have been escaped. If

there had then been given to the popular verdict the influence to which it is entitled under our institutions, the *immediate* annexation of Texas would have been defeated, and that territory might have been annexed long ago by peaceful and quiet methods—the war with Mexico would not have occurred—and it is reasonably certain that our devastating civil war would have been avoided. Instead, however, of obeying the popular will, the parties to the alliance between Tyler and Polk, which had elected the latter, plunged heedlessly into a series of measures which, in the end, and through terrible sufferings and travail, produced the very result they sought to prevent—breaking the bonds of every slave in the land. How well they verified the truth of the old adage, “Whom the gods seek to destroy they first make mad.”

The joint resolution for annexing Texas did not pass the Senate until March 1, 1845, but Tyler approved it the same day. It provided that *the government* should settle the boundary between Texas and Mexico,—reserved to Texas her immense body of “vacant and unappropriated lands,” for the specified purpose of enabling her to pay her “debts and liabilities,” and with the right after that was done to dispose of the remainder as she pleased,—and with the ultimate object of creating four other States out of her territory, to be free or slave as the people thereof should decide, below 36° 30′ of north latitude, and to be free above that line. This latter provision, however, was inserted for mere form’s sake, and had the effect only of committing all the supporters of annexation to the principle afterwards embodied in what was known as the “Wilmot Proviso,” by

which the constitutional power to prevent the introduction of slavery into the Territories of the United States was expressly asserted. After Polk became President other steps were taken in Texas, such as the formation and adoption of a constitution, and the State was not regularly admitted into the Union until December 27, 1845. It is proper, however, to remark in this connection, that the debt of Texas was indicated by her bonds, called "Texas Scrip." But it did not take her long to discover that she was unable to pay them, notwithstanding her immense body of vacant lands; and the consequence was that this scrip, thrown upon the market, became almost valueless and was bought up by speculators at a merely nominal price. These speculators had no difficulty in causing Texas to represent to Congress her inability to pay her debt, and to solicit the United States to do so. It required some time and skillful management to accomplish this, but it was done at last by an act of Congress, approved August 2, 1850, whereby it was provided that the United States should pay to Texas \$10,000,000 in bonds, payable in 1864, and drawing five per cent. interest. By this operation immense fortunes were made by the holders of the Texas bonds, and Texas was permitted to retain the ownership of all her lands, except what was supposed to be about 100,000 square miles surrendered to New Mexico, and which was pretended to be the consideration for the principal and interest of these government bonds, which, when paid, amounted to the aggregate sum of \$17,000,000. The greater part of the territory thus surrendered

was, and still is, barren and arid, and, if ever sold, will not produce money enough to pay the expenses of the surveys and sales. This left Texas with about 270,000 square miles, or 172,800,000 acres, of territory—whereas the States of Ohio, Indiana, Illinois and Iowa, united, contain but little more than this, and have always been required to pay their own debts. And, besides, the friends of annexation, in order to produce that result, nominated Polk for the Presidency in 1844, and also Cass in 1848, upon a platform which declared that “the Constitution did *not* confer authority upon the federal government, either directly or indirectly, to assume the debts of the several States,” created for “State purposes.” Thus it was fortunate for Texas that she confided her fortunes to the control of sympathizing friends, who enabled her to thrust her arms, figuratively, into the national treasury and extract therefrom \$17,000,000, in reward of her fidelity to those friends—or, speaking with more exactness, permitting those friends to do so.

We have seen what arrangements were made by Polk himself—to which Jackson manifestly would never have consented if he had been consulted—to procure the support of the nullifiers of South Carolina and the electoral vote of that State. To the same spirit that prompted this combination, the country was indebted for the pretended and false claim to Oregon up to 54° and 40' of north latitude. This nullification alliance was disguised by loud professions of devotion to the Union, and the Oregon claim was vociferously and constantly announced by these mottoes, printed upon flying banners: “All of Oregon or none”—“Fifty-four forty or fight.” The popular vig-

ilance ought to have been sufficient to penetrate these gauzy devices, yet it was not. Instead, reason abdicated her throne to *passion*, and by inflamed appeals to national pride and eloquent dissertations upon our "manifest destiny," a popular verdict was rendered, seemingly in approval of this demand. The contest was one wherein a question purely diplomatic was transferred by an *ex parte* appeal to the patriotic impulses of the American people, to a tribunal not recognized by the law of nations. It involved great and intricate questions of international law, the interpretation of treaties, agreements between the United States and Great Britain, and a multitude of facts connected with the discovery and former joint occupancy of Oregon by both nations. It had been discussed by such British statesmen as Peel, Pakenham, Aberdeen and others, with some of our own most distinguished men, such as Gallatin, John Quincy Adams and others, and involved the question of title to the country which not one voter out of ten thousand knew anything about or possessed the means of impartial inquiry regarding it. And it involved controversy with the most powerful nation in the world—a nation not likely to be intimidated by mere bravado and foolish threats. And yet the United States were placed in the undignified attitude of submitting this complicated question of law and fact to the people, to be decided at a popular election and under the influence of intensified popular excitement.

All this was done to contribute to the election of Polk, and when that was accomplished by the threat that we would have "all of Oregon or none," he became suddenly paralyzed when awakened to the actual reality that

Great Britain was not frightened at our bluster and was far better prepared for war than we were. Tyler had displayed more wisdom and discretion, for he offered to Great Britain to settle the long-continued controversy by fixing the boundary between Oregon and the British possessions at the 49th parallel of latitude. This, however, was then declined; and the bold and uncompromising demand for the line at $54^{\circ} 40'$, in order to create a furor in favor of Polk and secure his election, incited the British authorities to put that country in a condition for war with the United States. But before avowing any actual readiness for hostilities, Great Britain renewed the proposition it had formerly rejected, and proposed the 49th parallel as the boundary. When this proposition reached Polk he must have been greatly embarrassed, for he could not have failed to know that its rejection meant war with Great Britain. The United States were not in a condition for such a war. The navy of that country greatly exceeded ours, and would have swept all our war vessels from the ocean. Our commerce would have been destroyed. Realizing all this, Polk was confronted by the pledge he and his supporters had made to the country, that they would have "*all* of Oregon or none." This was a sad dilemma,—one which, during the exciting canvass for the Presidency, had been overlooked. It was the condition into which those are apt to get who make promises without considering the means or consequences of fulfilling them. He and his friends had made the issue of peace or war with Great Britain, and he saw, after the excitement had subsided, that the rejection of the English proposition would produce the latter, at the

cost of many millions of dollars to the United States and the sacrifice of hundreds, and perhaps thousands, of human lives. There was but one method of escape, which was to *back squarely down!* This he could not do openly and frankly by trusting to the magnanimity of the American people, for that requires a degree of courage which not many men possess. Instead of this, he resorted to indirection,—probably not with the view of misleading the country but to prevent his administration from total overthrow. He knew that a majority of the Senate favored the acceptance of the British offer to fix the line at the 49th parallel; and as the Constitution vested the treaty-making power in the President and Senate, he addressed a confidential communication to that body soliciting its advice,—knowing, beforehand, what it would be. The Senate did as he expected and advised the acceptance of the British proposition, and the treaty between the United States and Great Britain which fixes the boundary between the two countries along the 49th parallel of north latitude, was concluded by James Buchanan, our Secretary of State, and the British Minister at Washington City, June 15, 1846, ratified by the British government and by the Senate, and proclaimed August 5, 1846, by President Polk himself! And thus a strip of territory 5° 40' in width—or over 350 miles—which he had declared should never be surrendered, and for the defense of the title to which he claimed to have been specially elected, was given up to Great Britain without consideration, and the government of the United States was placed before all the leading nations of the world in the attitude of having set up a false claim, and the peo-

ple of having approved it. And this was done in the very face of the fact that the country had been lashed into an almost frenzied condition of excitement at being told of the encroachment of the British government upon our national rights,—after thousands of voices had been made hoarse in eloquent defense of our right to 54° 40' of north latitude; —after “fifty-four forty or fight,” and “all of Oregon or none,” had been flung forth upon myriads of banners in all parts of the country, and British rapacity had been the subject of almost incessant denunciation from the nomination of Polk up to the time of his election! This simple statement of facts is sufficient of itself, without further comment.

All of the present generation who have the leisure and patience to investigate them, should be impressed with the absolute necessity of guarding well all the approaches to the ballot-box, in order that the public suffrage may not be contaminated by corrupt partisan influences and the general welfare may not become dependent upon the interests and personal ambitions of scheming and plotting politicians.

It was not only believed but predicted by many of our ablest statesmen that the annexation of Texas would lead to war between the United States and Mexico. The Mexican minister at Washington had, while the proposition was pending, notified our government that Mexico would so consider it, because that country had never recognized the independence of Texas. The fact was that after the battle of San Jacinto actual fighting between the two armies had ceased, but a state of war existed liable to renewal of the fighting whenever either

party had men and money to carry it on. If Great Britain or some strong military power had been in the position of Mexico there would have been neither difficulty nor dispute about this proposition, for the annexation of revolted territory by a foreign power has always been recognized by international law as an act of war. Hence, by the recognized regulations which govern the intercourse of the great nations the President of the United States was not justified in violating this principle. Independently of this general principle, however, the boundary which separated Texas from Mexico while the former was a Mexican province was the Nueces river; nor does there seem to have been any alteration of this while that relation existed. Texas, therefore, when she acquired her independence, having no other defined western boundary, could acquire title only to what she occupied, and, as she did not occupy beyond the Nueces river, had no title west of it. Her *purpose* of ultimately extending her boundary to the Rio Grande conferred no title between these rivers, which was a strip of unoccupied and desert territory. Hence, the claim of Texas to the Rio Grande was invalid for three reasons: first, she never occupied the territory; second, her western boundary had never been extended beyond the Nueces, and third, her independence had never been recognized by Mexico. And to this might properly be added another—that a state of war between Mexico and her still existed.

While the question of annexation was pending we heard a great deal regarding the former ownership of

Texas by the United States; and a vast amount of eloquence was expended in talking about its *re-annexation*, as if we had been unjustly deprived of it and were merely reclaiming our own. This was simply "*ad captandum populus*," and did not possess the merit of being plausible to any familiar with the facts. By our treaty with Spain, February 22, 1819, that country ceded East and West Florida to us, and, in return for this, the United States ceded to Spain all of what was included in Texas. The boundaries of our cession extended north from the mouth of the Sabine river, along the western bank of that river to the 32d degree of latitude, thence north to Red river, thence along that river to the 23d degree of west longitude from Washington City, thence north to the Arkansas river, thence along that river to its source in 42d degree north latitude, and thence by that parallel of latitude, to the South Sea or Pacific Ocean. This turned out to be a high price to pay for Florida, but it was not then so considered, inasmuch as it enabled the southern boundary of the Union to be extended to the Gulf of Mexico. But regardless of the value, we had no more right to this territory, after the treaty of 1819 with Spain, than if we never had laid claim to it. It was solemnly conveyed by us to Spain, and when Mexico established her independence, what we had ceded became hers, and she held it under the guarantees of our treaty. And when Texas revolted from her and obtained independence, she took title only to the extent of her Mexican boundary, because neither when the United States owned the country, nor by the treaty conveying it to Spain, nor by the Mexican law while she remained

a province of that country, was her western boundary extended beyond the Nueces river. It must, consequently, be an accepted fact that, at the time of the annexation to the United States, the western boundary line of Texas was the Nueces river; and equally well accepted that the mere *ex parte* claim set up by Texas of title to the Rio Grande river conferred no right, inasmuch as the two countries were at war, and Mexico both denied and resisted it. Therefore, the administration of Polk had no right, either by international or any other law, to assume that the Rio Grande was the western boundary of Texas, in the face of the existing war between Texas and Mexico, and to march our army to the Rio Grande. On the contrary, it was an act of war towards Mexico, which, in self-defense, she was bound to resist or acquiesce in her own dismemberment and disgrace. If Polk had been dealing with a strong instead of a weak power—with Great Britain for example—he would not have done so. Of this there is conclusive evidence in the fact that he not only did not move our army up to $54^{\circ} 40'$ in Oregon to protect our title, but when he found that strong power ready for war surrendered $5^{\circ} 40'$ of latitude, or over 300 miles of territory, in the very face of his threat of “fifty-four forty or fight!” Now, however, when the passions of that period have entirely subsided and the number of those who remember how intensely they burned is becoming fewer every day, it is proper to inquire by what authority he moved the army of the United States beyond our national boundary for *any* purpose, without the knowledge and consent of Congress. The Constitution wisely gives to Congress alone the

power to declare war, and the President who assumes this prerogative violates both the Constitution and the spirit of our popular form of government. A careful inspection of the facts will show a series of flagrant executive acts of precisely this character, all manifestly intended to force Mexico into a war for the dismemberment of her territory and to gratify the war spirit he and his friends had aroused by their blustering claim to *all* of Oregon. The facts do not warrant any other conclusion.

The joint resolution for the annexation of Texas was approved by Tyler March 1, 1845, three days after which Polk became President. It did not undertake to define the territorial limits of Texas or its western boundary. On the contrary, it expressly provided as a primary condition that the State of Texas was to be thereafter "formed, subject to the adjustment by *this government of all questions of boundary* that may arise with other governments"—that is, with Mexico, the only other government interested. Let it be remembered that this was only the act of the United States, and not of Texas. It did not annex Texas, but provided for *future* annexation when she gave her consent in proper form. It was supposed she would do this, but she had not yet done it. Until she did our joint resolution was a mere offer to take her into our Union, which she could accept or reject as she pleased. In such matters nothing is taken by intendment. Consequently the resolution gave to the United States no authority or jurisdiction beyond the Sabine river which was the boundary of Texas upon the east, nor could any such authority or jurisdiction ex-

ist until the act of annexation became a consummated fact by the consent of Texas. This consent was not given until July 4, 1845, when the convention of Texas agreed to the resolution of annexation, and consequently upon that date, and not before, Texas became part of the United States, and up till then the Sabine river was our western boundary. Therefore, the United States had nothing rightfully to do previous to that time with the boundary between Texas and Mexico, but had proposed to Texas by the joint resolution providing for annexation, that when she became a part of our Union the "government," not the President, would settle the question of boundary with Mexico, and Texas had assented to annexation upon that express and primary condition. Nevertheless—and this fact should be carefully noted—on June 15, 1845, nineteen days *before* Texas had consented to annexation and at least twenty-five days before the notification of her assent could have reached Washington as there was then no telegraph to Texas, Polk caused to be sent from the War Department a "confidential" letter to General Z. Taylor, then at Fort Jessup, commanding him to advance with the troops under his command "to the mouth of the Sabine, or to such other point on the Gulf of Mexico or its navigable waters as, in your [*his*] judgment, may be found most convenient for an embarkation at the proper time for *the western frontier of Texas*," and notifying him also that his "ultimate destination" was "*on or near the Rio Grande del Norte*." This command had, of course, to be obeyed by Taylor, who had no discretion in the matter. He was instructed that the army of the United States had

for its ultimate destination a point beyond the territorial limits of the nation, which the President had no more constitutional power to order than he had to send it to the City of Mexico or to the Island of Cuba. Even if Texas had assented to the resolution of annexation the express terms were that the boundary between her and Mexico should be settled by "*the government*" with that country. It need not be said that the President is not "*the government*," although Polk seems to have supposed that *he* was when he undertook to substitute himself for it and to decide, *before* annexation was consummated, that the Rio Grande was the boundary between Texas and Mexico, and in order to maintain it as such prepared the army to be sent beyond the limits of the Union in order that it might be thereafter in a position to maintain the Rio Grande as that boundary. How differently he acted with Great Britain when the Oregon boundary was involved! Then he asked the Senate to come to his relief and advise him where the boundary should be, because Great Britain was a strong power. But in the case of the boundary between Texas and Mexico—a weak power—he chose to exercise the imperial prerogative right to decide it for himself, before Texas was part of the United States, and secretly and confidentially to order the army to be held in readiness for marching outside the territorial limits of the United States in order that it might be in readiness "*at the proper time*" to maintain that boundary against Mexico, although he knew beforehand, as well as he did afterward, that it would involve the United States in a foreign war. In all the history of this country nothing comparable to this has ever oc-

curred—nothing so flagrantly violative of the National Constitution. For that reason, as well as others, the Congressional House of Representatives was fully justified in deciding, as it did, that the war with Mexico was brought on by the President in violation of the Constitution.

Taylor took possession of Corpus Christi, on the *west* side of the *Nueces* river, and near its mouth, in August, 1845—only four or five weeks after Texas had consented to annexation. When this became known it was pretended by the defenders of the administration that this movement of our army was in consequence of a request upon our government by Texas to resist the army of Mexico, inasmuch as that country had threatened retaliation in consequence of annexation. But when the facts became public, they clearly disproved this pretext; for, as has been stated, the original order to Taylor was dated at least nineteen days *before* Texas had assented to annexation, and while she was a foreign and independent State, and had, consequently, no right to ask the intervention of the United States; and if she had asked it, the President had no constitutional power to grant it. Having, however, obtained this position for our army, so that it could observe the movements of Mexico, the President sent a minister to Mexico in the person of John Slidell, under the additional pretense of settling the questions in dispute between the two countries. Slidell landed at Vera Cruz November 30, 1845, and, after full deliberation, the Mexican authorities notified him, March 1, 1846, that they would not treat with the United States, because they would not quietly

“suffer the nation to be despoiled of its territories”—manifestly considering the army of Taylor as then occupying Mexican soil—that is, the territory between the Nueces and the Rio Grande rivers, which was in dispute between that country and Texas. The rejection of Slidell furnished an additional pretext for the friends of the administration, which was that Mexico had offered an indignity to the United States which justified the military invasion of her territory. But this was an after thought—not even plausible—for Polk had imperiously decided, before Slidell was sent to Mexico, that the Rio Grande was the western boundary of Texas, in direct violation of the resolution of annexation, and, to prepare for enforcing his decision, had sent Taylor with his army into the disputed territory, in face of the fact that hostile relations existed between Texas and Mexico. More than this, while Slidell was in Mexico, endeavoring to get himself recognized as Minister—that is, on January 13, 1846, Polk commanded Taylor to break up his camp at Corpus Christi and advance to the Rio Grande.

From this it may be fairly presumed that Slidell was employed to coquet with the Mexican authorities and create a false sense of security in their minds, so that while the United States was holding out the olive branch of peace in one hand the other was secretly employed in drawing the sword. Taylor had then been resting some months at Corpus Christi awaiting instructions from those upon whom rested all the responsibility for his movements. It was his duty to obey the orders of the President, his superior, and he accordingly moved his troops forward to the Rio Grande, while Slidell was holding out

the false pretense to the Mexicans of desiring peace. There is something about this mission of Slidell which has never yet been exposed to public inspection; if it had been it might have thrown a flood of light upon what now seems to be a secret intrigue. It might show, and doubtless would, that this intrigue was carefully planned before he left the United States, in order to bring about what actually occurred, a war with Mexico and the acquisition by the United States of enough of her territory to stretch our possessions to the Pacific, and thus compensate for the loss of territory in Oregon which Polk and his friends, in every form of asseveration, claimed as ours. The House of Representatives in 1848 passed a resolution calling upon him for copies of "the instructions and orders" issued to Slidell before his departure for Mexico, supposing that the country had the legitimate right to know in what manner the administration, without the knowledge and consent of either Congress or the people, had involved us in a foreign war. But on January 12, 1848, Polk sent a message to the House wherein he informed that body that he declined a compliance with their request, considering it his "constitutional right" and "solemn duty, under the circumstances," not to let his instructions become public, because Mexico might thereby learn something that would prejudice the interests of the United States. Now, of course, when the principal parties are all dead, these secret instructions will never be exposed, but it will be difficult to persuade intelligent and impartial people of the present time that they were not discreditable to their authors. He pretended to justify his refusal upon the ground

that it might prejudice future negotiations with Mexico for her to know what Slidell had been instructed, but this was not even an excuse, for the reason that war with Mexico then actually existed, and the country had the right to know whether it had been brought on by Mexico herself or by a combination of politicians who subordinated the interests and honor of the nation to their own ambition. All experience teaches that concealment is more frequently a badge of fraud than evidence of innocence.

During the march of Taylor to the Rio Grande he was several times notified by the Mexican authorities that his movement was regarded by Mexico as an act of war, but he had no discretion, as he was acting under orders from the President, and continued to advance until he reached Point Isabel on the coast and not very far from the Rio Grande. He soon obtained possession of the mouth of that river, where he erected defenses, and in a few days camped on its east bank opposite the Mexican city of Matamoras, upon the west bank. Here he constructed field-works and a strong fortress, which the Mexicans had the right to consider as a notification to them that he was ready to be attacked when they thought proper to do so. Instead of this, however, the Mexican general in command at Matamoras notified him that if he did not break up his camp he would be fired on. He refused, and returned for answer that the flag of the United States would continue to float where he had hoisted it. In a few days another division of the Mexican army arrived at Matamoras, when the commanding general informed Taylor, April 24, 1846, that "he con-

sidered hostilities commenced and should prosecute them." Up to this time no gun had been fired on either side. Taylor, on the same day, sent a detachment of sixty-three dragoons up the east bank of the Rio Grande to reconnoiter. On the next morning this detachment encountered two hundred Mexicans who had crossed over to that bank. Which first fired upon the other is not certain—each claiming to have been attacked. It is certain, however, that the warlike demonstrations which preceded their coming together indicated upon both sides a preparation for actual war and an intention to bring it on. It may properly be called a pitched battle for which both parties were in readiness. Taylor had built Fort Brown and planted his guns so that they bore upon the public square of Matamoras, and the Mexicans had made all the preparations for fighting in their power. And this was also certain, that Texas had never occupied the east bank of the Rio Grande, but the Mexicans had, and were then in possession of it. The country between there and the Neuces was a sterile desert, which had never been populated. Texas had no settlement west of the Neuces except Corpus Christi and its neighborhood, so that if she had even a shadow of right west of that river it did not extend to the Rio Grande, but left the strip of unoccupied territory—about three hundred miles wide—the true line of separation between her and Mexico. Not a single Texan had ever lived upon the Rio Grande, but only Mexicans. These two bodies of hostile forces were marching upon territory in possession of the Mexicans—

each having threatened to fire upon the other. Which fired first is of but little consequence, in point of fact, inasmuch as the battle they fought was the first of the Mexican war—its actual beginning. Sixteen of Taylor's dragoons were killed in the fight and the remainder were taken prisoners by the Mexicans; and this shedding of blood led to several years of terrible and desolating war. Before then nothing but paper bullets had been used—protests and counter-protests. But now a battle had been fought, blood had been shed, prisoners had been taken, and the "dogs of war" were turned loose. We must not, however, fight its battles over,—not even to express the exultation we all feel at the gallantry of our brave countrymen who bore the starry flag in triumph from Monterey to Buena Vista, and from Vera Cruz to the "Hall of Montezuma."

Immediately upon receiving intelligence of this skirmish upon the Rio Grande, for which both sides gradually and purposely prepared, the Presidential wrath was kindled to an excessive degree, because Polk saw in it the accomplishment of the object he sought after so anxiously—a war with Mexico. He and his friends had roused up the war spirit by threatening to take "all of Oregon" from Great Britain by force of arms, but as he had just decided to abate his haughty demand and *back down* at English threats, he manifestly hailed this intelligence with joy and delight—seeing in it, as he doubtless did, that the war spirit he had enkindled would then be gratified. He accordingly, on May 11, 1846, sent to Congress a war message, wherein he announced the actual existence of war—the plain meaning of which was

that he had so managed as to bring on a war with Mexico independently of Congress, which was then in session, and to which alone the Constitution had given the power to declare war. He had, before that time, carefully concealed from Congress and the country that he alone, and without the authority of law, had exercised the prerogative right to decide that the Rio Grande was the western boundary of Texas—in the face of the resolution of annexation, which provided that “the government should settle that question with Mexico after annexation, and had ordered Taylor to advance his troops beyond the Nueces with the ultimate purpose of going to that boundary and maintaining it by force of arms. He neglected also to explain the fact that the skirmish in which the first blood was spilt, which he magnified into a battle, was prepared for by both armies in advance, and that it was fought upon ground which had never been in the possession of Texas, or even of a single Texan, but was then occupied by Mexicans alone. Instead of these necessary and important explanations he represented that the Mexicans, by crossing the Rio Grande, had invaded the territory of the United States and “shed American blood upon American soil,” in which representation “the wish was father to the thought.” And an obedient Congress, seemingly regardless of the obligation not to falsify the historic record, passed an act strangely preceded by a preamble which recited that, “whereas, by the act of the republic of Mexico a state of war exists between that government and the United States.” Why this cautiously worded recital? A preamble is not necessary to a law, nor is it common to attach one to a law. It serves only

as an index to the meaning of a statute, furnishing a mere rule of interpretation. In this instance there was not the least necessity for it unless it was deemed necessary to explain something that needed explanation. From the fact that it was then used, the purpose to mislead might be legitimately inferred. A few words only were necessary to declare war constitutionally. But if this had been done the President would not have been relieved from the responsibility of having usurped the constitutional prerogative of "the government" to settle the western boundary of Texas with Mexico, and having ordered Taylor to march beyond the limits of the United States into territory in dispute between Mexico and Texas without authority of law and in violation of the Constitution. Hence the necessity for this preamble, which, being false, remains a blot upon the national statute-book, still continuing to mislead the unwary and all who, after nearly half a century has elapsed, have neither the leisure nor the means to discover the precise truth.

Besides the foregoing facts there are many others of like import found upon the records of the government, which combine to prove, and which do incontestibly prove, that Polk entered upon the Presidency with the fixed and resolute intention of forcing Mexico into a war for the purpose of taking from her such territory as he coveted by way of "indemnity," and that he prosecuted this purpose secretly until his ends were accomplished without consulting Congress, in violation of the Constitution. In addition to the objects he had in view, as already suggested, there was another, which to him undoubtedly was of controlling importance—that is, to ac-

quire Mexican territory upon the same parallels of latitude as the slave States, with the ultimate expectation of seeing slavery introduced within those lines and by this means increasing the political power of the South. This is evidenced by the fact that after the territory composing California and New Mexico had been acquired he argued, in his message of December 5, 1848, to prove that each of them would have the constitutional right to establish slavery or not at discretion, and that the doctrine which prohibited States formed north of the parallel of $36^{\circ} 30'$ from becoming slave was not consistent with the Constitution, but could be maintained only upon the ground that it was the result of compromise. It is further attested by the additional fact that when the suspicion of his purpose in this respect approached almost to positive knowledge, one who had supported him for the Presidency introduced in Congress what became known as the "Wilmot Proviso," which was intended to prevent the introduction of slavery into any of the territory that might be acquired from Mexico. Whatever his intention, however, his reliance was mainly upon the united South, against a divided North. And believing that with this strong support at his back he could defy all opposition, he executed his purposes with a strong hand, as if he were an absolute monarch, instead of a constitutional President with limited and well defined powers.

Not only did he cause, beforehand, a large number of war vessels to hover about the eastern coast of Mexico to await the state of war which he intended to bring on, but he concentrated a large fleet in the Pacific, along the Mexican coast line of California, for the same

purpose. What secret instructions he gave to the commanders of these fleets has not been discovered, but enough is known to show, beyond any reasonable doubt, that they were commanded, in advance, to take possession of and hold California as conquered territory, never to be surrendered, but to become part of the United States. The Pacific fleet was commanded by Commodore Sloat, who, as he says himself, had received instructions from the Secretary of the Navy dated June 24, 1846, by which he must have been instructed to do what he did,—for there was no officer of the navy who would have done so without peremptory instructions. The act of Congress declaring war to exist “by the act of Mexico” was approved May 13, 1846, so that these instructions must have been issued a little over one month after that time,—making it certain that the object to be accomplished, whatever it was, had been then decided upon. On July 7, 1846—with several war vessels under his command and others at San Francisco—Commodore Sloat demanded of the military commandant at Monterey in California, the unconditional surrender of everything in California under his “control and jurisdiction.” Having accomplished this without bloodshed he, on the same day, issued from his flag-ship a proclamation “to the inhabitants of California,” informing them that “*henceforth California will be a portion of the United States.*” He must be very credulous who supposes that this was done without special instructions from Washington. But there is more to the same import, which will remove all doubt upon that subject, if any should exist. He proceeded to tell them that they should have the same protection as

the citizens of "any other State in the Union,"—as if the object he knew to be designed by the administration had already been accomplished,—and that such as were not disposed to accept the "privileges of citizenship, and to live peaceably under the government of the United States," would be "allowed to dispose of their property and to remove quietly out of the country," or if they did not, would be required to observe "strict neutrality." In a general order issued the same day he declared it to be his "duty to take California" and to "preserve it afterwards as a *part of the United States*, at all hazards." With this object in view he demanded its surrender from the commandant-general, and issued an order to Commander Montgomery,—then in command of the war-ship *Portsmouth* at San Francisco—to "secure the bay of San Francisco as soon as possible, at all events." These objects were easily accomplished, as the Mexicans had made no preparations for the military defense of San Francisco, any more than Monterey, and in point of fact did not generally know that actual war had broken out between the United States and Mexico. The possession of these two important points was, therefore, obtained without bloodshed or even resistance, and when this was accomplished Commodore Sloat turned over the command of the conquering fleet to Commodore Stockton, who, as subsequent events abundantly prove, must have been as well instructed as he was, with regard to the purposes and policy of the administration. It did not take him long to discover that the Mexican population was thrown into a condition of consternation and was very much demoralized, and that the whole machinery of civil

government was, in a large measure, suspended. Under this condition of affairs the Mexican commandant-general of California sent to him a deputation of officers proposing to enter into negotiations with him, manifestly with the desire of adopting some regulations for protecting the rights of persons and property. He declined the proposition to negotiate, and proceeded immediately to organize a military expedition with the purpose of penetrating the interior of the 'country and take possession of it. This force met with no resistance, as the Mexicans fled before it, and on August 13, 1846, it took military possession of Los Angeles without firing a gun. The military commandant and the governor-in-chief of California thereupon fled from the territory, leaving this victorious army in possession of the entire power. Never was there before, in the history of the world, a more bloodless conquest, not having required the explosion of a single ounce of powder! The Mexicans were paralyzed, and fled in every direction whenever a body of armed men appeared.

As war had then existed between the two countries for about three months, California then became, by the custom of civilized nations, subject to martial law—government by military power. To such government it would undoubtedly have been subjected if Commodore Stockton had not been well informed—as Commodore Sloat had been—that it was the intention of the administration to seize upon California before the Mexicans could prepare for resistance, and to consider it, from the date of the capture of Monterey, as an integral part of the United States, without any reference whatever to the opinion

of Congress, or the will of the people. Consequently—as Commodore Stockton says himself—he “forthwith determined to organize a temporary *civil government*, to conduct public affairs and to administer justice as in time of peace.” He could not wait for the action of Congress, but “forthwith” organized and established this “civil government” over a country not yet a part of the United States, and only a few days after he had expelled a large number of its peaceable inhabitants with an armed force! He then proceeded to construct what he called the “frame of civil administration,” by prescribing the laws, creating courts, appointing judges and executive officers, regulating “taxes and imposts” and prescribing appropriate punishments for offenses. And then he—a commodore in the navy, without the least authority of law, either civil or military—made himself the civil governor over all! And when this was done he hastened to exercise imperial powers by organizing the militia, appointing its officers, and creating military commandants of Northern and Southern California. And when he found it necessary to be absent he appointed an acting governor *ad interim* in his place! And all this was done under a government with a written Constitution and laws, and under an administration whose Presidential chief made it his proudest political boast that he was a strict constructionist! At the time these occurrences took place it was charged that they were directed by the administration and were necessary links in the chain of the executive policy of the government, and that the President himself was not only cognizant of but actually directed these violations of the Constitution. But this charge was

lustily denied until the policy of the administration was fulfilled by the treaty of Guadalupe Hidalgo—which ceded California and New Mexico to the United States—when all demands for inquiry into the truth were drowned by shouts of exultation at the glorious destiny of the nation, which had stretched itself out to the Pacific. When this was accomplished and Mexico lay in humiliation at our feet, Commodore Stockton deemed it necessary to his own fame that he should explain with minuteness his own personal agency in the work of conquest. Consequently, on February 18, 1848,—after the news had reached the United States that the treaty of Guadalupe Hidalgo had been agreed to—he laid before the Secretary of the Navy a full and detailed report of his proceedings in California; wherein, after enumerating the general facts of which he was cognizant, and especially his institution of civil government, he says: “These acts and intentions were *officially communicated to the department* in my official dispatches.” And he declared his gratification at knowing “how entirely I [he] had *anticipated the views of the government in the measures which I [he] had adopted.*”

Now, when so few of those who participated in these events survive, their narration reads almost like romance—bordering closely upon some of the tales of the Arabian Nights. It must almost stagger the credulity of the present generation to learn with what boldness and impunity the Constitution was violated in making war without the consent of Congress,—in waging it for the object of violently wresting territory from a weak and neighboring nation,—in governing that territory when obtained

by civil institutions created by military power and maintained by bayonets,—and in studiously concealing all the important facts connected with these transactions upon the pretense that public interests would be prejudiced by their exposure.

When Lieutenant-General Scott marched victoriously with his gallant army from Vera Cruz to the city of Mexico and dismay seized upon the nation, the administration soon found itself in possession of sufficient power to dictate the terms of peace. Under the pretext of “indemnity” it demanded territory, the very territory it had brought on the war to acquire. And the consequence was that Mexico, humbled by defeat, entered into the treaty of Guadalupe Hidalgo, February 2, 1848, by which the boundary between the two countries was extended from the Rio Grande to the Pacific ocean, and, in consideration of the sum of \$15,000,000, California and New Mexico were ceded to the United States. In the meantime, however, as already stated, one of the supporters of Polk, who suspected that the purpose of this acquisition of territory was to extend slavery and by this means weaken the political power of the North, introduced into Congress the “Wilmot Proviso,” the express object of which was to prohibit the introduction of slavery into any of the territories of the United States. This was a political bombshell, heavily charged with the most inflammable materials. It excited both sections, but the South more than the North. There it aroused the most violent passions, and no man could gain the public favor who did not denounce the North for contemplated aggression upon the constitutional rights of the South,

among which, as Polk and his administration maintained, was the right of the slaveholder to carry his slave property to the territories, and the right of the territories, upon coming into the Union, to establish slavery or not at their own discretion, any prohibitory statute of the United States to the contrary notwithstanding. But for the acquisition of Mexican territory these questions would have been of little practical import and slavery agitation would have ceased, like a fire which goes out for lack of kindling. That acquisition consequently was like the opening of Pandora's box—scattering evils of vast magnitude in every direction throughout the country. These were visited upon the South far more than upon the North, for there the multitude became so lashed into violent and consuming passion that reason was cast aside, so that when it became understood that the people of the United States were unwilling that the free territory they had obtained, however acquired, should be converted into slave States, the South inaugurated civil war against the Union, invited the destruction of its homes, the desolation of its fields, the sacrifice of the lives of its bravest sons and the destruction of slavery in the United States forever. What the South designed to protect it destroyed, and its bleeding wounds told the tale of the sad penalty it paid for its folly and madness.

He who reads history intelligently and comprehends its philosophy, can not fail to observe how the links fit together in the chain of events which lie between the annexation of Texas and the late civil war. The question of annexation nominated and elected Polk, and neither could have occurred without it; he, by violating the

Constitution, brought on the war with Mexico;—this led to the acquisition of foreign territory and invited the “Wilmot Proviso;”—and the South, infuriated to madness because unable to plant slavery in this acquired territory, made war upon the Union. Each of these events dove-tail together in close and inseparable connection; and it is not too late for the popular investigation of them, in order that the people—who are theoretically and ought to be actually the source of power—may understand how much the security of the government and the stability of our institutions depend upon their vigilance. It is said that “history repeats itself;”—but in order that there may be no repetition of the events here recorded, the popular mind should not become so deluded by partisan aims and professions as to forget that “eternal vigilance is the price of liberty.”

In so far as I observed the personal characteristics of Polk, they impressed me with the belief that he possessed many commendable private virtues. But it was never pretended, so far as I know, that he belonged to the class of men who, like Jackson and many others, link their friends to them by “hooks of steel.” In speaking of him I would “nothing extenuate, nor set down aught in malice,” but simply content myself by recounting his public and official acts, and suggesting the motives which influenced him, in so far as my mind was impressed at the time of their occurrence. Whatever may have been his private virtues, within that charmed circle where the formal ceremonies of official intercourse are thrown aside, these convictions have sunk deep into my mind and are matured by reflections extending beyond the average

period of human life,—that he did not belong to the class of men from whom a President of the United States ought properly to be chosen,—that by his election the country was afflicted with a multitude of calamities, among the saddest in its history,—and that such must be the impartial verdict of all who intelligently scan the true history of his administration.

ZACHARY TAYLOR



Z. Taylor

CHAPTER XII

ZACHARY TAYLOR

THE instinctive sagacity which permeates the body of the American people is such that it is difficult to conceal from them the personal qualities of a President. The few who hold direct intercourse with him carry away from the "White House" favorable or unfavorable impressions, which are easily communicated to the masses, and these either attract or repel according to circumstances. It was unfortunate for Polk that in his associations with others he exhibited none of that mesmeric influence with which Jackson was so bountifully supplied by nature; and the consequence was that while his intense partisanship was distasteful to the adversaries of his administration, he was unable to acquire the full confidence of those who had elected him. This latter fact, however, was not attributable to this cause alone; but, in a large measure, to their discovery of the surreptitious manner in which he had combined with the nullifiers of South Carolina, who were more hostile to Jackson than to any other prominent public man, because of his uncalculating devotion to the Union. The "old hero" had died during the first year of Polk's administration—June 8, 1845—but, before his death, had so emphatically expressed his condemnation of the plot between Polk and

Tyler, whereby it was intended not only to sacrifice his friend Blair to the vengeance of the nullifiers, but to enable the latter to regain what they had lost in their controversy with him, that when the nominating convention met, May 22, 1848, it did not require a very vivid fancy to imagine that his spirit hovered over the body, in order so to guide and direct its proceedings as to prevent the renomination of Polk and add his name to the list of one-term Presidents. This was not difficult to do, for the rivalries and jealousies were so violent that harmony was impossible. The course of the administration with reference to the war with Mexico, and its un concealed purpose to strengthen the slave power, had so disrupted the supporters of Polk in the great State of New York, that each faction of them had sent delegates to the convention, so widely separated with regard to these and kindred matters that when it was decided to admit both sets neither would consent to act, and the convention proceeded to nominate candidates without any representation from that State. The result was—as it was intended it should be—that *Polk did not receive a single vote!* General Lewis Cass of Michigan was nominated for President and General William O. Butler of Kentucky for Vice-President, and a platform was adopted rivaling in platitudes that of the Liberty party in 1843. A few words were added complimentary to Polk, which were intended to be the only reward he should be permitted to take with him into the retirement to which the convention very deliberately invited him!

The disaffection among the original supporters of Polk in New York soon began to bear unexpected fruits.

Taking to themselves the new and significant name of "Barn-burners," they assembled in convention at Utica, in that State, June 22, 1848—just one month after the nomination of Cass—and nominated Van Buren for the Presidency. This was intended to be preliminary, merely—like forming a skirmish-line preparatory to battle. The purpose of the movement was not long concealed, for on August 6, 1848, another convention, which included this same disaffected New York element, assembled at Buffalo, and was composed of delegates from every Northern State, and from Maryland, Virginia and the District of Columbia. This convention also nominated Van Buren for President, and along with him, Charles Francis Adams, of Massachusetts, for Vice-President, and adopted a platform expressly condemning and rebuking "the aggressions of the slave power," as indicated by the efforts then in progress to carry slavery into free territory. And that there should be no suspicion of the design to interfere with slavery in the States, this platform denied the power of Congress to do so, leaving that question to be decided by the States themselves. If there had been confusion before, it was "worse confounded" then. It had been fairly shown at the nominating convention of 1844 that Van Buren was the choice of the majority upon each of three ballotings, and was deprived of the nomination only by the cunningly contrived two-thirds rule, and contrary to the desire of Jackson, and it having been plainly discovered since then that his defeat and the election of Polk had led to the war with Mexico and the acquisition of free territory,

those who composed this Buffalo convention considered it proper to nominate Van Buren in 1848, in order to keep the newly-acquired territory free, and to terminate the "aggressions of the slave power." They considered this to be mere retributive justice—more especially as the enemies of Van Buren, who had nominated and elected Polk, had, but a few weeks before, abandoned him entirely, without even the compliment of a single vote in the nominating convention.

National politics had, by this time, been brought into a tangled and confused state—so much so that, instead of looking to the deliberately-expressed public opinion as the guide of legislative proceedings, everything was submitted beforehand to the decision of party caucuses, whose decisions were held to be irreversible. He who conformed to them was held to be immaculate, while he who felt constrained by the force of his own convictions to oppose them was shunned and avoided as if he were a leper. The question of personal merit or demerit did not enter into the calculation, or, if it did, was subordinated to that which involved only the capacity for party services. Never before in the whole history of the government had this demoralizing doctrine received such positive executive approval as under the administrations of Van Buren, Tyler and Polk, each one of whom seemed to think that, whatever else befell the country, the system of official "rewards and punishments" must, at all events, be maintained. To the great bulk of the people, of all parties, this was an abhorrent practice, to which they were unwilling to become reconciled, because they saw in it only that which, if persisted in, would inevita-

bly tend to convert the government into a mere party machine, to be used solely for sinister and selfish purposes, entirely regardless of the general welfare. To put an end to this tendency toward demoralization, the people, of all parties and sections, were constrained by the condition of affairs, which it was easy for them to trace to Polk's administration, to pause and consider whether or no they possessed a remedy they could efficiently apply, or whether their legitimate power had become so enfeebled by party machinations as to seriously threaten the longer existence of the right of self-government. The sentiment thus aroused was not entirely sectional, while—from causes heretofore stated—it existed more extensively in the North than in the South—there were, in the latter section, murmurings of disapprobation at the tendency to disunion, which, as they could easily see, had been produced by permitting the autocratic leaders of Southern opinion to exercise the prerogative right to form and mold it to suit themselves. The desire, therefore to arrest the downward tendency of national affairs, was participated in by multitudes of people in all the sections, and it is proper to consider it as having been eminently patriotic.

We have seen that Polk was laid aside and Cass nominated for the Presidency by a convention held May 22, 1848, upon a platform intensely partisan—an absolute notification to the country that, although the convention was unwilling to trust Polk a second term, its purpose was, if successful with another candidate, to conduct the government consistently with the policy of his administration as regarded both domestic and foreign affairs.

The people, irrespective of former parties, availed themselves of this notice to bring about another nominating convention for the selection of an opposing candidate, who should not be tied down by party bandages, but should, if elected, so administer the government consistently with the Constitution as to advance the general welfare and hold the bonds of Union inviolate. This convention was composed of delegates from all the States, united in the desire to prevent discord between the sections and harmonize elements which had been placed in seeming, though not in actual, conflict by partisan excesses and sectional exactions. There were 280 delegates, which made it necessary that the nominee should receive at least 141 votes, inasmuch as it was impossible to form any such partisan and sectional combination as that which had introduced the two-thirds rule eight years before to defeat Van Buren. Two of the candidates voted for were Clay and Webster, who were considered as distinctively the representatives of party, but neither of the other two, Generals Scott and Taylor, were looked upon in that light, as they were both officers of the army and had never been identified with partisan politics. It was evident from the beginning that the main object of the majority was to unite upon some man of this latter class in order to give the people a fair opportunity to decide whether or no they desired the government to be conducted in obedience to mere party dictation or for the general welfare of all the sections. Taylor had agreed to accept the nomination if tendered to him, but was unwilling to do anything that would contribute to that result. In his letter to Allison, written about five weeks

before, he had distinctly expressed his own "distrust" of his "fitness" for a station so high as that of President, and declared that he would "most gladly" retire from the position of a candidate when his friends should manifest that wish. In this letter, however, he went further and touched a cord which led directly to the hearts of those who desired to see the government lifted out of the party grooves into which it had been plunged by Van Buren, Tyler and Polk, and to place it again upon the plane where the Revolutionary Presidents had left it. In enumerating the "cardinal principles" which he declared would govern him if President, he said: "I am not sufficiently familiar with all the minute details of political legislation to give solemn pledges to exert myself to carry out this or defeat that measure," an exhibition of unpretentious modesty which commended itself to all except the politicians, who looked upon the people as qualified only for the duty of obedience.

He proceeded, however, to say: "If elected, I would not be the mere President of a party. I would endeavor to act independent of party domination. I should feel bound to administer the government untrammled by party schemes." With reference to the veto power he expressed some great and fundamental truths which ought to remain deeply imbedded in the hearts and minds of the people, when he said, "I have thought that for many years past the known opinions and wishes of the executive have exercised an undue and injurious influence upon the legislative department of the government; and for this cause I have thought our system was in danger of undergoing a great change from its true the-

ory. *The personal opinions of the individual who may happen to occupy the executive chair ought not to control the action of Congress upon questions of domestic policy; nor ought his objections to be interposed where questions of constitutional power have been settled by the various departments of the government, and acquiesced in by the people.*” Regarding measures of domestic policy—such as “the tariff, the currency, the improvement of our great highways, rivers, lakes and harbors,” in his opinion, “the will of the people as expressed through their representatives in Congress ought to be respected and carried out by the Executive;”—in other words, he considered the people as possessing the governing power. He added his congratulations upon the close of the Mexican war, and expressed the opinion that the principles and true policy of the government were “opposed to the subjugation of other nations and the dismemberment of other countries by conquest.” These truly conservative and patriotic opinions not only arrested public attention in every section of the Union, but so influenced the action of the convention that he was nominated for President on the fourth ballot; after which Millard Fillmore of New York was nominated for Vice-President. Repeated efforts were thereupon made by a few to commit the convention to a partisan contest, but they were ineffectual; and it adjourned without promulgating a party platform—preferring to stand upon the foregoing plain avowals of Taylor, and leaving his patriotism and merits without any other voucher than was furnished by his whole life-work.

The result of the election was somewhat disappointing,

although not disheartening to the truly conservative people throughout the United States. Taylor received 1,360,101 of the popular vote, against 1,220,544 given to Cass, making his plurality over the latter 149,557. Van Buren, however, received 291,263 votes, which, if added to the vote of Cass, left Taylor in a minority of 141,706 of the whole popular vote. Taylor received majorities in fifteen States—eight free and seven slave; whereas, Cass received majorities in fourteen—eight free and six slave—South Carolina voting by the Legislature. The majorities for Taylor in the free States aggregated 141,865, against 53,685 for Cass; and in the slave States 42,295, against 18,226 for Cass; while Van Buren did not get a majority in a single State, although he received 6,192 votes in New York more than Cass, which caused Taylor to carry that State only by a plurality of 98,093 votes. This condition of things necessarily controlled the electoral vote, so that when cast Taylor and Fillmore received 163 each, and Cass and Butler 127 each,—the majorities of the two former being 46 electoral votes. And thus again—as had been the case when Polk was elected—the peculiar working of our Presidential elective system was practically exhibited. Nevertheless, the election had one aspect important enough to be remembered, as showing the condition of public opinion at that time, with reference to the sectional controversy into which Polk's administration had conducted the country. It is this: That the 98,180 votes received by Taylor over the majorities of Cass in the free States, and his excess of majorities of 24,069 over Cass in the slave States, demonstrated, beyond any doubt, that the people of both

sections were tired of the strife which the partisan politicians had fomented, and that but for the subsequent renewal of this strife our disastrous civil war would have been escaped.

Taylor was not a great man, in the sense in which that term is commonly applied to American statesmen. But he was a man of clear, discriminating, and accurate judgment with regard to men and measures. His views of public policy were eminently conservative, inasmuch as both observation and experience had taught him that the government, instead of being experimented with in the interest of any political party, should be conducted as nearly as possible within the lines of a policy indicated by the examples of its founders. His life had been spent in the military service—in the camp and field—where, like a true soldier, he had acquired that patriotic love of country which kept his mind at a steady poise upon all subjects which regarded its domestic policy. His integrity of purpose was acknowledged to be of that sterling quality which is firmly and deeply rooted in the mind and governs all its impulses. He was, in fact, just such a man as the times demanded, to bring the government back into the paths marked out by “the fathers,” and from which it had been led by scheming politicians, who measured it by no higher standard of value than as it contributed to their own successes. The popular mind was directed to him by his eminent services in the war with Mexico, where his skill as a commander had been so conspicuously displayed as to excite universal admiration. His selection as a candidate was made, therefore, more on account of his distinguishing virtues than the be-

lief that he could ever become the participator in party or sectional strife. In so far as the Northern people were involved it was an offer of "the olive branch of peace" to the South,—for as he had been all his life identified with the institution of slavery, and had been accustomed to defend all the Constitutional rights of the slave States, there was no rational ground for believing that sectional animosity would receive the least encouragement from him or from others subject to his control. Many of the Southern people saw this, and were patriotic enough to vote accordingly; for he received popular majorities and the electoral votes of the following seven slave States: Florida, Georgia, Kentucky, Louisiana, Maryland, North Carolina, and Tennessee; while Cass received popular majorities in the remaining slave States, and the electoral vote of all of them, including South Carolina. Whether we call the sentiment thus encouraged conservative or by some other name, it was manifestly patriotic, and if it had grown as Taylor desired it to grow, the peace of the Union would not have been disturbed. Subsequent events proved, however, that the factionists did not intend this.

In his inaugural address he expressed his views of domestic policy so plainly and distinctly that they could not be misunderstood. Fully realizing the condition of the country, seriously threatened with the terrible consequences of sectional strife, he avowed his determination to "defer with reverence" to the "illustrious patriots" of the Revolutionary era," "and especially to his example, who was, by so many titles, the 'Father of the Country,'" and referring to various public interests which

would command his official attention and become the subjects of his executive recommendations, he said: "But it is for the wisdom of Congress itself, in which all legislative powers are vested by the Constitution, to regulate these and other matters of domestic policy," thus showing his confidence in our form of popular government and in the capacity of the people to select their own representative agents. It was not a suitable occasion for any other than a mere reference to public questions, but so intense was his devotion to the Union that he could not refrain from invoking for it the "protecting care" of Divine Providence, so that all "bitterness" between the sections should be assuaged, "just and liberal principles" be promulgated and that the public mind should be filled with "an enlarged patriotism, which shall acknowledge no limits but those of our own wide-spread republic." There was not one who heard him but was impressed by his candor, sincerity and patriotism.

Taylor was confronted at the beginning of his administration, March 4, 1849, by the condition of affairs in the newly acquired territories, as left by Polk. It came to him as an official inheritance, which required in its management the extremest prudence and caution. He had never been a politician in the popular sense, but was careful to surround himself with a cabinet of counselors so distinguished by true conservatism and ability that they suffer nothing by comparison with their predecessors or successors. These were John M. Clayton, of Delaware, Secretary of State; William M. Meredith, of Pennsylvania, Secretary of the Treasury; George W. Crawford, of Georgia, Secretary of War; William B. Preston, of Vir-

ginia, Secretary of the Navy; Thomas Ewing, of Ohio, Secretary of the Interior; Jacob Collamer, of Vermont, Postmaster-General, and Reverdy Johnson, of Maryland, Attorney-General. From a President and cabinet thus constituted the country expected nothing else than what the public interest and honor required. Hence, there was no surprise when Taylor decided that it was his imperative duty to leave California and New Mexico precisely as he had found them—that is, in the position they occupied at the close of Polk's administration. To have done otherwise would have involved him in the necessity of either permitting the civil governments existing in those territories to be changed at the will of their inhabitants, or to prescribe such changes as seemed right to himself. Consistently with what he regarded as due to the nation, he could do neither, for the reason that as they had been created and were administered without authority of law it was his plain duty to omit doing anything that would show, or tend to show, that his executive approval was given to these illegal proceedings. Therefore, he awaited the assembling of Congress in December, 1850, and in his message called attention to the real condition of affairs and submitted to the legislative department, where the Constitution places it, the necessity of providing by law such forms of civil government for California and New Mexico as would prepare them for admission into the Union as States whenever they were fitted for that relation. By this method he thought the errors of the past might be escaped and "all causes of uneasiness" be avoided in the future. But he was too well aware of the sectional antagonism which the madness of faction had

created between portions of the Northern and Southern people, not to realize his obligation to express himself fully and plainly with regard to these proposed governments. How clearly he did this will be seen by the following extract from this message: "With a view of maintaining the harmony and tranquillity so dear to us all, we should abstain from the introduction of those exciting topics of a sectional character which have hitherto produced painful apprehensions in the public mind, and I repeat the solemn warning of the first and most illustrious of my predecessors against furnishing 'any ground for characterizing parties by geographical discriminations.' "

Herein Taylor displayed both wisdom and discretion. Knowing, as he did, the extent to which sectional prejudices had been invoked by the rival factions both North and South, and foreseeing the consequences to which they were likely to lead unless restrained, he regarded it his duty to rebuke the spirit of discord before it acquired vigor enough to imperil the Union. He did this by occupying ground between the two extremes—endeavoring, like a skillful navigator, to steer the ship of state between Scylla and Charybdis. To his prudent and thoughtful mind it was clear that the North was not prepared to consent to any system of national policy that would result in the creation of a slave State by national authority, and equally clear that the South would not consent to the "Wilmot Proviso," which was regarded in that section as the inauguration of a direct war against the equality of the States under the Constitution. Therefore, with the hope of producing reconciliation between

the sections, he foreshadowed the safe and practical theory that when the people of California and New Mexico were called upon to form State Constitutions, they should be permitted, without any interference by Congress, to settle the question of slavery for themselves, and be admitted into the Union either as free or slave States, as they should decide. He fully realized the difficulties of the problem to be solved, but, realizing that the Union had been formed by the alliance of free and slave States, and that the Constitution had guaranteed to each the absolute right of government by their own laws, he could do nothing more than this, and to have done less would have required him to abandon his national position as President and identify himself with one or the other of the sections. To revive now the arguments by which his recommendation was resisted would be a fruitless task, inasmuch as there never can hereafter be an occasion for their repetition. It is proper to say, however, that the extreme Southern men in the Senate met the recommendation of Taylor by demanding, under the leadership of Jefferson Davis, that the Missouri Compromise line should be extended to the Pacific, and that there should be "the specific recognition of the right to hold slaves in the territory below that line, and that before such Territories are admitted into the Union as States, slaves may be taken there from any of the United States, at the option of the owners." To this it was replied by Clay, himself the owner of slaves and Senator from a slave State, that as the territory acquired from Mexico was free at the time it was ceded to the United States, he would never vote to make it slave.

In eloquent words which I have not forgotten—for I was present and heard him—he said: “Coming from a slave State, as I do, I owe it to myself, I owe it to truth, I owe it to the subject, to state that no earthly power could induce me to vote for a specific measure for the introduction of slavery where it had not before existed, either north or south of the” Missouri Compromise line. And thus the issue was so distinctly made up that the Senate deemed it expedient to appoint by ballot a committee of thirteen, to whom the subject of slavery in all its aspects should be referred, with a view to discover, if possible, some ground of compromise between the sections.

Clay was made chairman of this committee, and the remaining twelve were equally divided between the sections—the representatives of slavery being in the majority, consisting of the following Senators: Clay of Kentucky, Bell of Tennessee, Berrien of Georgia, Downs of Louisiana, King of Alabama, Mangum of North Carolina, and Mason of Virginia. The six Northern Senators were Dickinson of New York, Phelps of Vermont, Cass of Michigan, Webster of Massachusetts, Cooper of Pennsylvania, and Bright of Indiana. To such a committee—having upon it some of the foremost men of the nation—any important public question might well have been entrusted. Their deliberations continued more than two weeks, when, on May 8, 1850, Clay as chairman made a report with the following recommendations: *First*, That the division of Texas into new States be deferred; *second*, that California be forthwith admitted into the Union; *third*, that the “Wilmot Proviso” should not be applied to new Territories to be formed out of the ter-

ritory acquired from Mexico; *fourth*, that the fugitive slave law should be more effectively executed between the States; *fifth*, that slavery where it existed should not be abolished; and *sixth*, that the slave-trade in the District of Columbia should be prohibited "under a heavy penalty." These propositions were embodied in several bills which gave rise to animated discussions in both Houses, but were passed into laws during that session of Congress. They constitute what has been called "the Clay compromise of 1850." It is not necessary to the fame of Taylor, however, to claim that this result was brought about, in any special degree, by his executive influence. All he did was to communicate his views to Congress and leave the Senate and House of Representatives to their own responsibilities. Nevertheless, if he had lived he would have had the satisfaction of realizing that his efforts to harmonize the sections were not unavailing, although the extreme men of the South were not reconciled. Of these latter there were eighteen in the Senate and fifty-six in the House who voted against the admission of California into the Union, because the people there had prohibited slavery. But for these, and others influenced by them, the questions pertaining to slavery would have been justly and amicably settled according to the policy of Taylor's administration. And his genuine conservatism—founded upon the obligation of obedience to the Constitution and the laws—would have been so diffused throughout the Union, among all classes, that the peaceful progress of the country could have been arrested only by departing from his example and disobeying his counsel. But just as the clouds were begin-

ning to show their "silver lining" and the storm to abate, his career was suddenly arrested by the hand of death. Upon July 4, 1850, he was taken suddenly ill, and five days thereafter was a corpse in the executive mansion. His naturally strong and vigorous constitution had been so enfeebled by exposure and hard labor that it was unable to resist an attack so violent. But his courage was unflinching to the last—that courage which makes the death of a departing Christian seem like a gentle slumber. These were his expiring words: "*I am ready to die. I have faithfully endeavored to do my duty.*"

I never saw Taylor until the day of his inauguration, when I was most favorably impressed by his manner. He was without the least ostentation, and it was impossible to listen to what he said without feeling assured of his candor and sincerity. I once conversed with him with reference to the condition and course of public affairs, and have not forgotten the unlimited confidence he expressed in the capacity of the people to arrest the progress of wrong and error, when made conscious of their existence. Referring to the existing evidences of alienation between the North and the South, he gave it as his belief that if the people of both sections would take the matter in their own hands, independently of the politicians, such a condition of quiet and pacification would be brought about as would assure the stability of the Union. Upon this subject he expressed himself with great earnestness and zeal, and was most emphatic in declaring that, in his opinion, the country had been so misled by unduly excited passion as to have departed too far from the counsel of the wise men who constructed the

government. That he was sincere in this was shown by the whole course of his short administration, which was characterized throughout by devotion to the teachings of "the Fathers." That it would have been so continued to the end of his constitutional term he solemnly pledged himself in these closing words of his only message to Congress—his last will and testament to the country: "But attachment to the Union of the States should be habitually fostered in every American heart. For more than half a century, during which kingdoms and empires have fallen, this Union has stood unshaken. The patriots who formed it have long since descended to the grave; yet still it remains the proudest monument to their memory, and the object of affection and admiration with every one worthy to bear the American name. In my judgment, its dissolution would be the greatest of calamities; and to avert that should be the study of every American. Upon its preservation must depend our happiness and that of countless generations to come. Whatever dangers may threaten it, *I shall stand by it and maintain it, in its integrity, to the full extent of the obligations imposed, and the power conferred upon me by the Constitution.*"



MILLARD FILLMORE



Millard Fillmore

CHAPTER XIII

MILLARD FILLMORE

MY first acquaintance with Fillmore was formed at the extra session of Congress, called by President Harrison for May 31, 1841, in consequence of the financial embarrassment existing and the general derangement of business affairs throughout the country. By general consent he was made chairman of the committee of ways and means in the House of Representatives, which position he occupied during that entire Congress. Thus he became the leader of the House, for which he possessed the very highest qualifications. He was cool, calm and dispassionate and never suffered himself to become unduly excited, no matter how intensely the passions of party raged around him. I have met with few men who kept themselves at steadier equipoise. On this account the utmost attention was always paid to what he said, which commanded the respect even of those who disagreed with him. He never wasted words nor arraigned the motives of others, but in a thoroughly business-like manner confined himself to the immediate subject under consideration.

The bills which subsequently became the tariff law of 1842 were prepared under his auspices, and during the discussion of the first of these, which was vetoed by Ty-

ler, the defense of the measure, in all its details and bearings, was confided to him. His mind was fully imbued with the principles embodied in the policy of protection, and these he defended upon every suitable occasion with conspicuous ability. He never endeavored to rival some of the opponents of that principle in animated and impassioned oratory, for in this particular field he was surpassed by several of them, but it was a common thing to see their fine-spun theories exploded by his powerful and faultless logic. His style of oratory was wholly unlike that of Wise, who was fiery and brilliant and often erratic, while he was always cool and collected and never impetuous. In the place of what Tacitus called "the thunder and lightning of oratory," his style was characterized by mathematical directness, and if he did not always convince he left no wound to rankle in the minds of his antagonists. He was, therefore, not merely a popular but a successful leader of the House, and came up to the full measure of responsibility which his position imposed upon him. I remember no instance to the contrary, although such a multitude of stirring events have been crowded into the intervening years as are well calculated to erase impressions which might otherwise have remained enduring.

When Fillmore became President by the death of Taylor, there was much speculation as to the course he would probably pursue with regard to the compromise measures then pending in Congress. It was supposed by some that, as a Northern man, and the former representative of a Northern constituency, his administration would tend to encourage sectionalism, if it did not become distinct-

ively anti-slavery upon all measures then, or likely to be, proposed. On the other hand, those who knew him well and were familiar with his modes of thought were convinced that whatever course he deemed it his duty to pursue would be the result of calm deliberation and honest convictions. The former were disappointed, but the latter were not—for each of the compromise measures, in the order in which they were passed, became the law by his approval. In this respect he acted in precise conformity to the line of policy which Taylor had indicated, so that in so far as the slavery question was involved, the two administrations were in full accord. That he thereby caused some dissatisfaction in the North is undoubtedly true, but this came from the “Barn-burners,” as they were called, who had rallied to the support of Van Buren, and who, while they did not receive the popular vote of a single State, kept up their organization, well knowing that it had a two-fold effect—to divide the North and solidify the South. This, however, did not drive him from his course, and at this point in his history he exhibited, as it has always seemed to me, the very highest and most commendable qualities of statesmanship. He was no longer the representative of a local constituency in the North, and was not restrained in his official action alone by their desires nor bound by their instructions. He had become the President of the United States—not of any particular portion of the people, but of all. He was bound by the most solemn obligation to disregard all sectional interests, and to keep the Union welded together by the support of such measures as would lead to national harmony. Occupying this attitude,

he was confronted by a grave question of political ethics—whether a President could rightfully set up his own personal will against that of the nation, expressed in the only form known to the Constitution—that is, whether it was proper for him to interpose the executive *veto* to defeat any one of the compromise measures, inasmuch as they involved expediency alone. His mind was trained in a school wherein it has been taught that the most essential fundamental principle of popular institutions is the right of the people so to regulate the affairs of government as shall most conduce to the protection and advancement of their common welfare, in all matters not forbidden by the Constitution. And as it was not contended by any whose opinions were worthy of note that any of the compromise measures were violative of the Constitution, his official duty was plain and simple. Hence, the missiles aimed at him by Northern factionists were harmless. They inflicted no wound upon his reputation, nor did they in the least abate his ardor in the pursuit of his official duties, as his conscience dictated them.

That which incited the most violent and vindictive abuse of Fillmore, upon the part of those who boisterously invoked the spirit of sectionalism in the North, was his approval of that part of the compromise which provided for the more faithful execution of the fugitive slave law. Every piece of artillery which belonged to the camp of his adversaries was brought into action against him and his administration, because, by this act, it was alleged he had violated a principle of the natural law so flagrantly that he could not be forgiven. Every arrow aimed at him had poison upon its point. They who engaged in

this work were designated as fanatics—and they were not misnamed. They were misled by their infuriated passions, and, by giving free indulgence to these, became the auxiliaries of the nullifiers in the South, as the nullifiers were their auxiliaries in the North. The one insisted that the Union should not stand unless slavery were abolished; the other that it should not unless slavery became triumphant over all opposition. The compromise measures were intended to rebuke both these factions, and therefore they were accepted, both North and South, as a truce between the sections. And innumerable facts have since occurred to prove that this compromise ought never to have been violated.

In approving the whole series of compromise measures Fillmore was governed by precedents he could not disregard without seriously endangering the public peace. His refusal to do so would have added fresh fuel to the flames which had been furiously burning but were then dying out. While his action was calculated to inspire renewed confidence in the strength and stability of the Union, it was at the same time a rebuke to those, both North and South, who had made the national interests secondary to their own by stirring up sectional prejudices and animosity. He realized that as truth is frequently found midway between the extremes of error, so the only true course of national safety lay midway between these sectional extremes. And he was convinced, moreover, that as the nation had been built up by concessions and compromises, it could be maintained and preserved only by cultivating and preserving the same spirit. The admission of California into the Union with a constitution

prohibiting slavery could not have occasioned any difficulty, in his mind, not only because that doctrine met the popular approval in the election of Taylor and himself, but because it accorded with his own personal opinion. But the provision for the better enforcement of the fugitive slave law may have caused him to hesitate somewhat, inasmuch as that law had become specially odious to a number of Northern people, who had not only refused to aid themselves, but insisted upon the enactment of "personal liberty" laws and other measures whereby others should be prohibited from aiding in its execution. But he raised himself above the mere standard of the politician to that of the statesman. In this he was inspired, not only by his own patriotism, but by the example of all his predecessors, including Washington, under whose administration the first fugitive slave law was enacted. If he had done otherwise he would have placed himself and his administration in direct and palpable conflict with one of the plainest provisions of the Constitution. In that national covenant it is provided that "no person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due." This did not introduce slavery, but merely recognized the indisputable fact that it existed. Everybody in that day knew how hard several of the slave States, during the colonial period, had struggled to put a stop to the slave trade, but unavailingly. It was equally well known also that immense sums of money had been invested in slave prop-

erty, but sudden emancipation, without compensation, would reduce multitudes of people to bankruptcy; that if the government were so inclined it would not possess the means to provide compensation for the emancipated slaves, and that no people ever lived, in ancient or modern times, who were willing or could afford to surrender up so large an amount of wealth solely for the public good. Consequently there was nothing more absolutely and palpably demonstrated to the framers of the government than this—that unless the Constitution were formed by the mutual assent of both free and slave States it could not be formed at all, but the country would be left at the mercy of Great Britain, or a prey to any combination of monarchs who should resolve to put an end to popular self-government, as the “allied powers” afterwards did at the Congresses of Vienna and Verona.

There had never been any serious question about the obligation which the Constitution had imposed upon Congress to enact a fugitive slave law so effective in its provisions that slaves escaping into the free States might be reclaimed by their owners. But the difficulty lay in the execution of the law—especially after the slavery agitation which followed the annexation of Texas. Among the opponents of slavery in the North, there were some who maintained that inasmuch as the divine law, in their opinion, forbade the practice of holding a human being in bondage, it was consequently sinful to arrest fugitive slaves. If they had stopped at this mere expression of belief, no practically injurious consequences would have been likely to follow, for in that event they would have left the law to be executed by those entrusted with that

duty. But they went further and insisted not only that their consciences would not permit them to aid in the execution of the law, but required them to interfere actively and prevent its execution by the public officers; in other words, to resist the law of Congress. With this view they procured as many laws to be enacted in the Northern States as they could, behind which they endeavored to shield themselves from the consequences of violating the national law; in this respect imitating the nullifiers of the South by carrying the doctrine of State rights so far as to justify resistance to the national authority. With reference to the Constitution they called it "a covenant with hell," because it authorized the recapture of fugitive slaves, and insisted upon the fundamental right of each individual to set up in his own conscience a "higher law" by which he could release himself from the obligation of obedience to it. With this class of men all enactments of Congress were invalid and without force unless they corresponded with their own private and personal convictions of right, and Fillmore gave but little consideration to their ravings, because he could easily see that their success would both dissolve the Union and produce general anarchy throughout the country. It is not saying too much in his behalf to assert that in this he exhibited wise and prudent statesmanship,—such as enables a President to disregard the demands of faction and devote himself to the "general welfare" of the entire nation. If he had done nothing else while President but approve the compromise measures of 1850, he would have been entitled to the public thanks; for at a time like that, when the national sky was darkened by threat-

ening clouds, it required true courage to defy the exasperated sectional factions then warring against the Constitution. Like Washington when he demanded the recall of the French minister Genet for plotting against the stability of the government, and Jackson when he struck nullification a paralyzing blow, he firmly resolved to stand by the national cause, to "sink or swim, survive or perish" with the Union.

Animated by the hope of future concord between the sections, Fillmore pledged his administration from the beginning to the maintenance of the compromise. This pledge involved nothing of party, but rose above it into a higher and better atmosphere, such as assured a strong and vigorous growth to the bonds of Union between all the States, both free and slave—that is, the Union as "the fathers" formed it. Hence, we find him, in his message of December 2, 1851, more than a year after the compromise measures were adopted, employing these inspiring words: "The agitation which for a time threatened to disturb the fraternal relations which make us one people is fast subsiding, and a year of general prosperity and health has crowned the nation with unusual blessing. None can look back to the dangers which are passed, or forward to the bright prospects before us, without feeling a thrill of gratification, at the same time that he must be impressed with a grateful sense of our profound obligations to a beneficent Providence, whose paternal care is so manifest in the happiness of this highly-favored land." And—referring to what he had said in his message the year before, that he considered the compromise measures "as a final set-

tlement" of all the perplexing questions involved—he again recommended strict "adherence to the adjustments established by those measures," and added: "Wide differences and jarring opinions can only be reconciled by yielding something on all sides, and this result had been reached after an angry conflict of many months, in which one part of the country was arrayed against another, and violent convulsion seemed to be imminent. Looking at the interests of the whole country, I felt it to be my duty to seize upon this compromise as the best that could be obtained amid conflicting interests, and to insist upon it as a final settlement, to be adhered to by all who value the peace and welfare of the country." From this it may be seen under what a strong sense of obligation to the nation he acted, and how steadily and courageously he pursued the line of constitutional duty. If he had interposed his executive *veto*—which enraged zealots urged him to do, with terrible threatenings in case of refusal—the country might have been then carried to the verge of that abyss above which it was suspended for several painful years, when, after his counsel was disregarded, the spirit of these compromise measures was unwisely violated. This, however, will be more distinctly realized hereafter, when it shall become necessary to observe how suddenly the course of the nation was changed from the ascending to the descending plane, along which, but for the valor of our patriot soldiery, it would have been hastened to irretrievable ruin.

Besides the conspicuous contribution to the peace and quiet of the country which Fillmore made by his approval of the compromise measures of 1850, and the

faithful observance of them by his administration, an opportunity was afforded him of showing his high appreciation of the national honor in conducting the relations between the United States and other countries with which friendly relations existed. While this is a subject which does not command as much attention from the people as it should, it nevertheless should not be forgotten that as we deal with other nations so are they likely to deal with us. When any nation, in its intercourse with others, intentionally violates the principles of international law it invites a like violation by such nations as may find it to their interest to plot against its peace, and, in such cases, has no just cause of complaint that its own example has been followed. The occasion here referred to grew out of the incipient movements designed for the purpose of annexing the island of Cuba to the United States, a scheme secretly and adroitly planned during the Polk administration and under his immediate auspices for the sole purpose of increasing the slave power and so changing the current of national affairs that it should run in an exclusively southern channel. This is so plain as scarcely to need explanation. There were then thirty States, fifteen free and fifteen slave, including Delaware, where slavery, although nominal, still existed. As Texas was susceptible of division into at least four States, and Cuba, if annexed, into at least two more, it was designed, by the acquisition of that island, to add not less than six more slave States to the Union, so that there would then have been twenty-one slave and fifteen free States, the former having forty-two and the latter thirty Senators. From a sectional standpoint the stake was worth hard

striving on the part of the South, for, in the event of success, that section of the Union would have had complete control of the government, with the power to dictate its policy, regulate all its affairs and prescribe the conditions upon which new States should be thereafter admitted into the Union. It does not now require very strong imagination to picture the consequences which would have followed its success. The whole structure of the government would have been changed.

In 1848, without consulting Congress or giving any notice whatever to the country, Polk instructed the American minister in Spain to offer to purchase Cuba for \$100,000,000, although the revenues of the government were steadily diminishing. When this proposition was made to the Spanish government it was rejected promptly and with indignation. About that time, and probably with knowledge of this offer, General Narciso Lopez, called a Cuban patriot, inaugurated a revolutionary effort to throw off the Spanish yoke and establish the independence of Cuba. Failing in this he came to the United States manifestly with the expectation of obtaining assistance in both men and money. He brought with him other Cubans, whom he employed to represent that the Creole population of Cuba was ready to revolt against the authority of Spain, and, in the event of being successful, desired to be annexed to the United States. Whatever else may be said of him, he was, doubtless, shrewd enough to understand American politics sufficiently to know that he could enlist the sympathies of the South in his adventure, especially by means of the pretext of annexing Cuba to the United States.

In this he was not mistaken, and if he had reached here during Polk's administration it is as certain as anything not positively demonstrable by proof, that he would not have encountered Presidential hostility, or, at all events, that his appeal for Southern aid could have been enforced by reasons and arguments entirely acceptable to Polk and all the Southern supporters of his administrative policy. However this may have been, he did not reach the United States until shortly before Taylor's death, and made no public demonstration of his purpose until Fillmore became President. He then found existing a very different state of affairs from what he had probably anticipated.

Besides our neutrality laws, the government was forbidden by international comity from interfering with the domestic affairs of Spain, with which country we were at peace. Fillmore placed the highest estimate upon the obligation of obedience to this international comity, and understood it to mean that our intercourse with all nations—of course, including Spain—should be fairly and honorably conducted. Being unwilling that his administration should depart from this obviously proper rule, he issued his official proclamation, April 25, 1851, whereby he forbade that a military expedition should be fitted out in the United States "with intention to invade the island of Cuba, a colony of Spain, with which this country is at peace." Quoting the law which makes such an offense "a high misdemeanor" and subjects those guilty of it to fine and imprisonment, he commanded "every officer of this government, civil or military, to use all efforts in his power to arrest, for trial and punish-

ment, every such offender against the laws of the country." The effect of this, however, was limited. In portions of the South circumstances combined to inflame the most restless part of the population, so that a short time after the proclamation the steamer Pampero sailed from New Orleans to Cuba fully equipped with men and arms to aid the Cuban insurrectionists. Whether this could have been prevented or not by greater diligence upon the part of the public officers is now a mere matter of conjecture. But it is unquestionably true that, as the object of Polk in procuring Cuba was to strengthen the slave power, it enlisted the sympathy of so large a portion of the people of the South that they became indifferent to the execution of the neutrality law, and many of them advocated its violation. In one breath they anathematized those of the North who resisted the execution of the fugitive slave law; and in the next vindicated the violation of the neutrality law upon the pretended ground of self-defense—thus justifying the means by the end. The question, therefore, was an embarrassing one, but Fillmore met it in a proper and becoming manner. He communicated the facts to Congress with the recommendation that if, after investigation, the existing law should be found insufficient to suppress such offenses in the future, it should be so amended as to be made effective. It so happened that the expedition from New Orleans proved abortive, for the party was captured by the Spanish authorities in Cuba, and Lopez was executed, by the garrote, in the streets of Havana. But this did not in the least abate the ardor of those in the United States who understood the purposes of Polk's adminis-

tration. On the contrary, their zeal was increased to such intensity that they succeeded in making the purchase and annexation of Cuba a leading and almost a controlling question in the future politics of the country.

Fillmore was a safe counselor himself, and deeply imbued with the sentiment of national patriotism, and associated with him in his cabinet those whose integrity and ability were vouched for by long public service. These were Daniel Webster, of Massachusetts, Secretary of State, and after his death, October 24, 1852, Edward Everett, of the same State; Thomas Corwin, of Ohio, Secretary of the Treasury; Charles M. Conrad, of Louisiana, Secretary of War; William A. Graham, of North Carolina, Secretary of the Navy; Alexander H. H. Stuart, of Virginia, Secretary of the Interior; Nathan K. Hall, of New York, Postmaster-General, and John J. Crittenden, of Kentucky, Attorney-General. Under their joint guidance, the administration became eminently practical—carefully guarding the national interests alike in every portion of the Union. Sectional agitation having in a great measure abated, although it had not entirely died out—under the beneficent influence of the compromise measures his administration was enabled to employ its official functions for the promotion of the “general welfare.” This was accomplished most satisfactorily, and great credit is reflected upon it by the fact that its management of domestic affairs was commended by the country, because when it closed, March 4, 1853, the records of the government did not contain a line or a word upon which the most censorious could rest the accusation of a fault. Nevertheless, his approval

and support of the compromise measures made him adversaries in the North—whose zeal outran their wisdom—who made the mistake of supposing that the military renown of General Winfield Scott would weigh more in a Presidential contest than his distinguished civic virtues. Consequently, in the national convention of 1852, Scott was nominated over him upon the fifty-third ballot, by the meager majority of 12, while he never received less than 112 votes, cast by those who claimed to be, and, in fact, were, too courageous to play into the hands of any faction or to surrender principle for expediency. The result proved their sagacity, for at the Presidential election of 1852 Scott received the votes of but four out of thirty-one States—leaving the sectional fanatics of the South to infer that the sectional fanatics of the North had no more regard for the Constitution than they had, when it stood in their way. Fillmore was in no sense responsible for this—having discharged his duty well and faithfully, he left the responsibility to rest upon others, where it belonged. And some of these latter lived long enough to realize the effects of their error, and to labor industriously and manfully to hold in check the winds which were uncaged by the election of 1852.

Fillmore was not forgetful of the necessity of extending our commerce to the most remote parts of the world, and with that view sent a naval expedition to Japan in order, if possible, to bring about commercial intercourse between that country and the United States. In this his success was complete, having been assured by a treaty of amity, the beneficial effects of which are now visible in

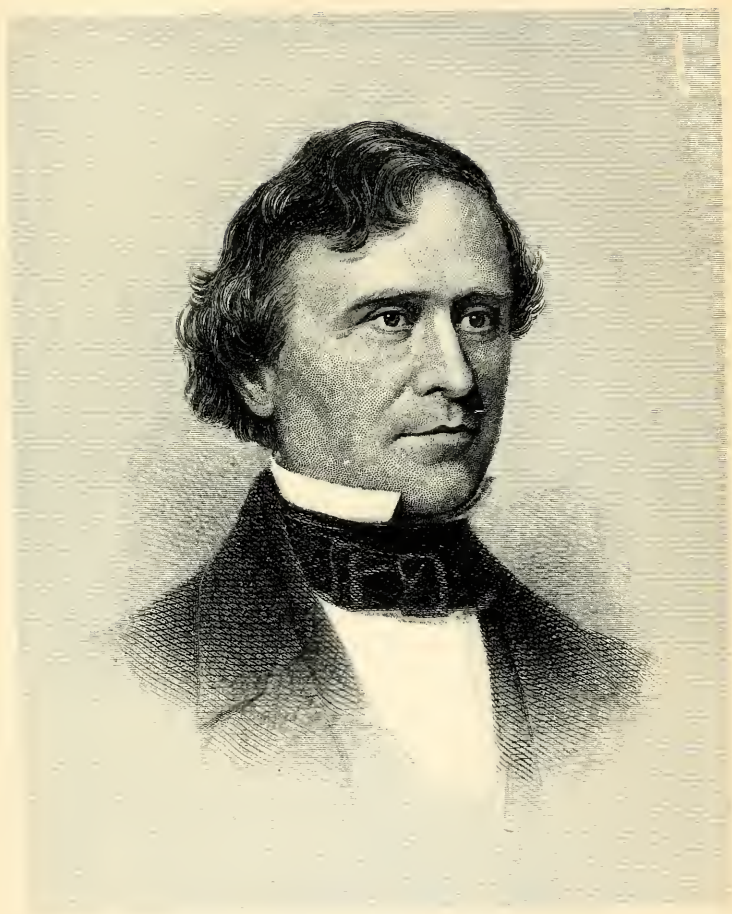
both countries, especially in Japan, where direct commerce with the United States is encouraged and all the rights of American citizens protected. Some years ago, in conversation with the Japanese Minister to this country, a highly cultivated and estimable gentleman, I expressed my surprise that so old a country as Japan had not developed more rapidly, and he replied without hesitation: "You are mistaken in the age of our country, as we only trace its improving condition back a few years—to the time when we entered upon the experiment of imitating the example of the United States." Besides this, he also negotiated commercial treaties with Brazil, Peru and several of the Central American States, from which this country has derived material benefits. And in no respect whatever were any of the important interests pertaining to our trade and commercial intercourse with other nations neglected. Everything within the province and powers of the government was done to accomplish all national objects, and impartial history attests the fact that at no time have our institutions been held in higher estimation throughout the world than they were at the close of his administration. In point of fact the evidences of our internal prosperity were so abundant that they could neither be overlooked nor denied.

The life-work of very few has furnished a fairer and better model for imitation for our young men than that of Fillmore. They can not all become Presidents or members of Congress or eminent lawyers, as he did, but may learn from his example that there is no titled nobility in this country, no law of inheritance which transmits conspicuous stations from parent to child, but that the honor

which ennobles its possessor can be won only by the faithful discharge of duty in the various spheres of life, from the highest to the lowest. The poverty of his parents prevented them from giving him even an ordinary education, and at an early age he was apprenticed to learn the fuller's trade. He had a strong natural desire for learning, and the few books he could procure excited this into a passion. In the course of a few years this passion became so absorbing that he induced his employer to release him from the last year of his apprenticeship, and soon fitted himself by untiring perseverance to become the teacher of a common school. As his mind developed and his intellectual vision became broader he chose for his occupation the profession of the law and diligently entered upon its study. After passing the required examination he was admitted to the bar, and in a far shorter time than is common reached an eminent position among the foremost lawyers of New York. After several years of successful practice he was elected to the Congressional House of Representatives, but soon tired of this service, preferring the quiet of home to its turmoil and bustle. His constituents, however, were not willing that he should retire, having learned to appreciate not only his sterling integrity as a man, but his faithful devotion to the public interests as a legislator. They, knowing him as they did, were among the foremost in urging his nomination for the Vice-Presidency, and when he reached the Presidency zealously rallied to the support of his administration, well assured that whatever he did was prompted by the strictest integrity of motive and from the desire to maintain the national honor and

perpetuate the Union. Such an attestation of merit is worth far more than partisan applause, and will materially aid in making up the true record of his life. And when that record is impartially made it will prove that, while the intellectual powers of some of our Presidents may have surpassed his, none of them have been more steadfastly devoted to the honor of the nation, the interests of the people and the stability of the Union.

FRANKLIN PIERCE



Frank Pierce

CHAPTER XIV

FRANKLIN PIERCE

AT the meeting of the National Convention that nominated Pierce for the Presidency nobody anticipated such a result. It was, therefore, produced entirely by the manipulation of politicians, who regarded the people as standing in the relation to them of "hewers of wood and drawers of water" at their command. How such a thing can occur under institutions supposed to be under popular control is not a little puzzling to the uninitiated, but even these may, after the end has been reached, trace out the inciting motive. If, in this particular instance, the fact shall be demonstrated that the projectors of this movement cherished the secret purpose to violate the compromise measures of 1850 and open again the slavery question, in the face of all its threatening and dangerous consequences, it will go far to fix—if it does not positively fix—upon the proper parties, the revival of the spirit of sectionalism. It is never too late to learn the "truths of history;"—for, whenever known, they lead us into paths which conduct to national security. Even if the past is dead, the present is alive, and the future still before us.

The National Convention that nominated Pierce met at Baltimore, June 1, 1852. The first thing it did was

to adopt the two-thirds rule which had so effectually disposed of Van Buren in 1844—having been originated then as a rod to be “held in pickle” over the heads of such aspirants as exhibited signs of personal independence, or were disposed to be the least refractory. There were three avowed candidates—Cass, Buchanan and Douglas, all men of acknowledged ability and all committed to the support of the compromise measures of 1850, and thoroughly indoctrinated with the anti-nullification theories which had constituted one of the most distinguishing characteristics of Jackson’s administration. But neither of these was satisfactory to the minority—whose votes were intentionally scattered among half-a-dozen others who were not candidates, merely, of course, to gain sufficient time to “stack the cards,” at which, from long training, they had become experts. The highest vote received at any time by Cass was 123,—the highest by Buchanan was 104,—and by Douglas was 92. This continued for 35 ballotings, when, to the surprise of all to whom the secret had not been confided, Pierce was, for the first time, brought forward. This was not done by the delegates from New Hampshire, where he had lived all his life and his qualities were well known, but by those from Virginia, who had accepted the anti-State rights and anti-nullification doctrines of Jackson more from compulsion than choice, and were vigilant in contriving the means of getting rid of them. The convention was startled by this proposition—as the whole country was;—so much so that it required 14 additional ballots to produce the desired result; and consequently Pierce was not nominated

until the 49th ballot, when he received all the votes cast except 6, which were still scattering.

There have not been many things in American politics more inexplicable than this—that is, the selection as a Presidential candidate of one for whom no demonstration had been made by the people anywhere, not even in his own State, over three others much more distinguished, and whose claims to the nomination had been proclaimed by large and enthusiastic popular assemblages. What brought it about was perplexing in the extreme—in fact, insolvable—even to the politicians who were not admitted behind the screens. But many things have since occurred which make plain and palpable what was then mysterious.

Pierce was clever—in the sense in which that word imports good-fellowship. His nature was kindly, and he was so generous-hearted that many of his political adversaries were embraced within the circle of his private associations—a fact of which I speak from personal experience. His generosity of heart made him impressible to an unusual degree—especially by those who were recognized by him as co-operating with him in political affairs. This was well known to those who procured his nomination. They knew also that Cass, and Buchanan, and Douglas, were not the pupils, but leaders, of others—and manifestly ventured upon the selection of Pierce in preference to either of them, with the hope, if not the assurance, that, as a new man, brought out from his retirement, he would be more apt to yield to their importunities than either of these “old stagers,” who had well-matured ideas and projects of their own, and were not

likely to be entrapped into any schemes that would involve conflict with Jackson's anti-nullification opinions and policy. They were experienced and skillful managers—well-versed in all the arts calculated to assure success—and upon this occasion managed to fill their hands with trump cards, which they played with wonderful dexterity and skill. Pierce had taken no active part in general politics since his retirement from the Senate, ten years before, and, consequently, had to be, in a large measure, "taken upon trust," with regard to some of the matters intended to be then introduced, for the first time, into the platform upon which the canvass was to be made. With reference to this, it was supposed that the Presidential office was a stake too highly to be prized for any analysis of it beyond its general import—or, in apter words, its "glittering generalities." Consequently, after condemning "all attempts at renewing in Congress, or out of it, the agitation of the slavery question, under whatsoever shape or color the attempt may be made," care was taken to add a special pledge to "faithfully abide by and uphold the principles laid down in the Virginia and Kentucky resolutions" relating to the alien and sedition laws enacted under the administration of John Adams, which were declared to be cardinal and fundamental. In this, great ingenuity was displayed by the concealment, except from the initiated, of a secret purpose it was not considered expedient to avow openly.

The Virginia resolutions referred to—as explained by Madison—recognized the right of a State to remonstrate against any law of the United States which impaired its sovereignty or invaded its legitimate jurisdiction, by in-

voking the aid of the other States, and the employment of all constitutional means to get rid of the obnoxious law. There were two sets of Kentucky resolutions. The first asserted that the Constitution was a compact to which "each State acceded as a State, and as an integral party," and, consequently, had the "right to judge for itself," without regard to what any or all of the other States might do, of any violations of the Constitution of which it should complain, as well as "the mode and measure of redress." Principles in opposition to these were promulgated by legislative resolutions in Delaware, Rhode Island, Massachusetts, New York, Connecticut, New Hampshire, and Vermont; and thereafter there was passed a second set of Kentucky resolutions, which went far beyond those of Virginia, by defining the meaning of the first set, that is, that "*nullification*" of such laws as violate the Constitution "is the rightful remedy." Those who so manipulated this convention as to defeat Cass, Buchanan, and Douglas, and secure the nomination of Pierce, besides being well instructed in all this, knew that the platform would not then be subjected to such critical scrutiny as would expose their ultimate objects. Hence, after the nomination was secured, they indulged in unbounded exultation, because, by courageous persistence through thirty-five ballotings they had secured a Presidential candidate upon a platform in direct conflict with the principles announced by Jackson in his proclamation and message condemning nullification, for which they had cherished against him the most intense hatred, and had been quietly awaiting the time when they could make his allies and sympathizers feel the full force of their ven-

geance. It was a severe blow to Cass, Buchanan and Douglas, but especially the latter, who, young, vigorous and talented, had cherished the belief that if the official mantle of the "old hero" should fall upon him there would be no spot or blemish left upon it by any departure from the paths the latter had marked out for maintaining the life of the nation and holding the States in their constitutional and rightful spheres.

The nomination of Pierce was followed by that of William R. King, of Alabama, for Vice-President, a man of ability and unquestioned integrity, and the canvass resulted in their election by a decided majority. The States then numbered thirty-one, and the whole popular vote was 3,144,201, of which Pierce and King received a plurality of 314,896 over Scott, and a majority of 58,747 over both his competitors, Hale, the abolition candidate, having received 156,149 votes. The only States which gave majorities for Scott were Massachusetts, Vermont, Kentucky and Tennessee—two free and two slave—and it is fair to say that in Kentucky the result was attributable to the influence of Clay, and in Tennessee that respect for the principles inculcated by Jackson and veneration for his memory had not died out. The electoral vote was 254 for Pierce and 42 for Scott, showing that to have been the most remarkable Presidential contest that ever occurred in this country. And that it was in fact so is otherwise proved by its having put again "in the saddle" the politicians whom Jackson had "unhorsed"—that is, the nullifiers, who could then exultingly trace their revival to the secret bargain which, according to Benton, they made with Polk, and which aroused the wrath of

Jackson and led to other consequences heretofore detailed.

At the beginning of his administration, March 4, 1853, Pierce, in his inaugural address, emphatically declared his purpose to maintain the compromise measures of 1850, and to that extent vindicated the wisdom of Taylor and Fillmore, especially of the latter in his official approval of them. That he was sincere in this there is no reason to doubt, for everything he had done and said indicated the desire to maintain the Union by harmonizing the sections. Notwithstanding his own sincerity, however, he was embarrassed in this—that those to whom he was indebted for his nomination, and, in a large measure, for his election, did not take the same view of these compromise measures that he did. They considered them as applicable alone to the free States, as imposing an obligation upon them but no corresponding obligation upon the slave States. Assuming as the postulate of all their arguments that the Constitution gave to the slaveholding States the right to transport their slaves to the Territories and hold them in bondage there, they considered themselves as justified in doing whatever they deemed necessary to maintain this right, even to the extent of enlarging the area of slave territory and strengthening the slave power, while, at the same time, they denied the right of the free States to place any obstacles whatever in the way of accomplishing either or both of these results. If Pierce did not directly affirm this doctrine he acquiesced in it to such an extent that when he afterwards referred to the slavery agitation, after its renewal, he censured the free and exonerated the slave

States on account of it, manifestly desiring to be understood as taking the side of the South against the North. The faculties of his mind were well developed, but, like the lawyer who sees only the interest of his client, they were so warped by his political associations that he was persuaded to concede to his allies, who had put him in power, rights and privileges he as readily denied to those whom he considered as adversaries. I have stated that, in my opinion, he was kind-hearted and impressible to such a degree that he could not resist the earnest entreaties of those he considered friends. This was abundantly proved at the point of his administration I am now considering, when he seemed to have forgotten that he was the President of the whole Union and regarded himself as representing alone the interests of the slave section. This is said without the least disrespect—the feelings I entertain toward him are the reverse of that—for in no other way is it possible to account for the fact that, in the face of the compromise of 1850, he secretly employed the authority of his administration to bring about the annexation of Cuba to the United States, knowing, as he did, that the only object of it was to strengthen the slave power, while, at the same time, he heaped his executive anathemas upon those who resisted this measure upon the ground that such resistance was a violation of the compromise. It is impossible not to see now, after the disturbances of that day have been quieted, that he was induced to regard the compromise as binding upon the North and not upon the South. What I have said about his impressibility is, at least, suggestive, as it becomes an important factor in the analysis of all indi-

vidual character. There are none who do not feel it in some degree. In our intercourse with the world we all meet with those who attract and those who repel, and toward the former we are drawn by an invisible cord—whether it be called mesmeric or by some other name—through which they convey their sentiments and opinions from their minds to ours, where they remain long enough to become indelible and so to mingle with our own as to become unconsciously an essential part of them. No individual man can break away from this strange and dictatorial influence of friendship, and especially could not Pierce do so, for his sympathetic nature disabled him from detecting the ingeniously contrived processes by which his executive limbs were bound with silken network.

The cabinet of Pierce was composed as follows: William L. Marcy, of New York, Secretary of State; James Guthrie, of Kentucky, Secretary of the Treasury; Jefferson Davis, of Mississippi, Secretary of War; James C. Dobbin, of North Carolina, Secretary of the Navy; Robert McClelland, of Michigan, Secretary of the Interior; James Campbell, of Pennsylvania, Postmaster-General; and Caleb Cushing, of Massachusetts, Attorney-General. Of these Marcy was undoubtedly the ablest man, as he was also fearless and self-willed,—perfectly unbending in the pursuit of his purposes. That he was bold, as well as indifferent to public opinion, was well manifested when—pending the question of confirming the nomination of Van Buren as Minister to England, in January, 1832—he was the first to announce and vindicate the “spoils system” in dispensing official patronage; which he then did, in

the Senate of the United States, by justifying such politicians as "boldly preach what they practice." Then, continuing still further, he said of them: "When they are contending for victory, they avow their intention of enjoying the fruits of it. If they are defeated, they expect to retire from office. If they are successful they claim, as a matter of right, the advantages of success. They see nothing wrong in the rule that to the victor belong the spoils of the enemy." A Secretary of State maintaining these views would be almost certain to impress them upon the mind of a President like Pierce, and so to shape the policy of the administration regarding foreign affairs as to make it conform to his own will. He had James Buchanan of Pennsylvania as Minister to England; John Y. Mason of Virginia, Minister to France; and Pierre Soule of Louisiana, Minister to Spain. On August 16, 1854, having been, as he declared, "directed by the President," he addressed an official communication to the latter, wherein he instructed him to avail himself of the assistance of both Buchanan and Mason in order to conduct successfully the negotiations for the purchase of Cuba from Spain,—with which he had been already charged, without the direction of Congress or the knowledge of the people. He also directed like instructions to Buchanan and Mason; and the three were required to meet at some suitable place in Europe and jointly employ such means as would bring about the desired result, and to communicate their proceedings to the Department of State by a "confidential messenger"—manifestly intending that strict secrecy should be maintained. These three Ministers held their first meeting at Ostend, in Bel-

gium, which they continued at Aix la Chapelle, in Prussia, and on October 18, 1857, addressed to Marcy, as Secretary of State, a joint official letter which has become known as the "Ostend Manifesto." This document is, to say the least of it, unique in American diplomatic history, and it is creditable to the country that it is so. If the government of the United States should, by any future possibility, be guided by the course of procedure it recommends, in its intercourse with other nations, from that time it would have to rely exclusively upon force in maintaining its international relations, and would become subject, at all times, to combinations for its overthrow among the strongest and most powerful nations in the world. For there is nothing plainer or more palpable than that these recommendations do not stop short of advising that if Spain refuses to sell Cuba, the United States shall take it by force of arms, in bold and absolute disregard of all national and international rights,—precisely in accordance with the practice of the highwayman who stops the traveler upon the road and commands him "to stand and deliver."

This "manifesto" does not stop at an argument—or what is designed as such—to prove that it would be to the interest of Spain and of the United States for the former to sell and the latter to buy Cuba; but with marvelous fatuity, it alleges that our "Union can never enjoy repose nor possess reliable security so long as Cuba is not embraced within its boundaries—a proposition the fallacy of which every average schoolboy in the land can detect at a glance. Proceeding, then, to show in what its authors supposed the mutual benefits of the two

countries would consist, it suggests what course the American government should pursue in the event that Spain "should refuse to sell Cuba to the United States." Then, it says, we would be compelled to consider this question: "Does Cuba, in the possession of Spain, seriously endanger our internal peace and the existence of our cherished Union?" And, without the least attempt to show how either of these contingencies could possibly occur, it immediately proceeds to make this startling declaration: "Should this question be answered in the affirmative, then, by every law, human and divine, we shall be justified in *wresting it from Spain, if we possess the power*, and this upon the very same principle that would justify an individual in tearing down the burning house of his neighbor, if there were no other means of preventing the flames from destroying his own house." It requires but little intelligence to see that if we should follow this advice and violate the principles which regulate the international intercourse of modern peoples and our own neutrality laws, we would forfeit our right to complain of the combination of the strong powers against us.

Our government was intended by its founders to be popular in form and substance, and, in order to preserve it as such, the body of the people were made the sovereign source of all its powers, in order that they should be enabled to preserve and perpetuate their own liberties and rights. Originally it was considered an experiment, but at the time of Pierce's administration it was regarded as being no longer so, the preceding sixty-four years of former administrations having demonstrated the capacity

of the people for self-government. Yet, without notice to the country or any attempt to ascertain the popular will, and without the consent of Congress or any effort to procure it, these steps for the purchase of Cuba were all taken in secret, with the hope of tempting Spain into a treaty by the offer of not less than \$120,000,000 of the public money, having the Senate ratify the treaty in secret, and then demanding the payment of the money out of the treasury, upon the ground that a treaty thus secretly made and ratified, becomes "the supreme law of the land," and binding upon the country, no matter whether the people or their immediate representatives in Congress had or had not any previous knowledge of it, or favored or opposed it. There would have been no just cause of complaint if the contemplated treaty had been confined to such matters as pertain to our ordinary international relations, such as the protection of our citizens, the enlargement of our commerce, and other matters legitimately pertaining to our foreign intercourse, for the Constitution wisely places these and other kindred affairs within the jurisdiction of the treaty-making power. But the purchase of Cuba involved the extension of our territorial boundaries, by stretching them into the ocean so as to embrace territory not contiguous to the United States, as was the case when Louisiana, Florida, and a portion of Mexico, were acquired by treaties. Even in these latter cases the Constitution was clearly violated, as Jefferson conceded when Louisiana was procured. The attempt of the Pierce administration, therefore, to purchase Cuba had

about it none of the merit which attached to the purchase of Louisiana and Florida, because it was, as every body now knows, a secret effort to violate the compromise of 1850 by adding additional slave territory to the Union, so that the slave-power should be thereby increased. Pierce's opinions with regard to both the Constitution and the compromise were dictated, not merely by those he had previously expressed upon the general question of slavery, but by his immediate relations to those to whom he felt himself indebted for the Presidential office. Therefore, he seems to have felt himself justified in sending his annual message to Congress, December 4, 1854,—between three and four months after Marcy's Cuban instructions to Soule—without notifying Congress and the country of the measures he had secretly inaugurated and which were then in progress. He did, however, submit some general reflections, in that message, regarding “the territorial expansion of the United States,” and the “disquieting concern” of “some European powers” upon that subject. He assigned it to “the legitimate exercise of sovereign rights” upon our part,—manifestly intending that what he said should be understood as relating to past acquisitions. He made no explanation of the steps then in progress under his own administration to acquire Cuba; which leaves it fairly to be supposed that, as he had fully committed himself and his administration to the maintenance of the compromise of 1850, it would have been embarrassing to announce that, to promote the interest of his slave-holding friends and increase their power in the Union, he was then engaged in efforts to purchase the slave-holding island of

Cuba. I do not say that he intended to deceive the public—for I do not believe he did,—but he was undoubtedly led by partiality for his friends and prejudices against his adversaries, into such a position as required the concealment of his real purposes, in order that the former might obtain a triumph over the latter. It is possible—perhaps probable—that he did not consider the annexation of slave territory a violation of the compromise; at all events, if there is any doubt upon that subject I am disposed to grant him the benefit of it, But however this may have been, the ultimate effect of the attempt to annex Cuba did, when it became exposed, re-open the slave question and justify the free States in protesting against and resisting it.

These two propositions are perfectly clear to my mind: first, that if the letter of the compromise of 1850, strictly interpreted, did not, its spirit did forbid the political re-agitation of the slavery question, both in its general and particular aspects;—and, second, that the slaveholders were not justified in making the clamors of a few factional abolitionists in the North the pretext for plotting secretly to annex Cuba with the view to increase their power while the bulk of the Northern people—truly conservative—continued to acquiesce in the compromise. There were fanatics in the South as well as in the North, and if they had been restrained by the conservatives of the former as they were by the same class in the latter section, the saddest calamities which have since ensued might have been escaped. If Pierce could have anticipated any of these, his patriotism would have incited him to firm resistance to anything tending to that end; but

his generosity was so played upon by trained and artful schemers that he suffered his administration to drift along, without intending it, into such lines of policy as opened again the flood-gates of sectional discord, and ultimately caused the waters, which had been dammed up by the compromise, to break loose again and carry desolation to some of the happiest homes in the land.

The troubles which grew out of the organization of Territorial governments for Nebraska and Kansas had their beginning under Pierce's administration, and he very tenaciously adhered to the positions taken by the defenders of slavery. None of the latter were more extreme than he was. All of Nebraska lay above the parallel of $36^{\circ} 30'$ north latitude, and the general belief was that the Missouri Compromise, which excluded slavery north of that line of latitude, would have the same effect in that Territory. Hence there had been no controversy relating to the introduction of slavery there. But one was inaugurated pending the Nebraska bill by introducing into it a section which declared the Missouri Compromise "inoperative and void,"—in other words repealing the law of 1820 which established it. This was done first in the Senate, February 15, 1854, by a vote of *yeas* 35, *nays* 10; and in the House of Representatives, May 23, 1854, by a vote of *yeas* 113, *nays* 100. An analysis of these votes will show that, in the Senate, those who voted for this repeal were composed of 22 from the slave and 13 from the free States; and in the House, 68 from the slave and 45 from the free States. And a further analysis will also show that but one Senator from the slave States—Houston of Texas—and but

nine Representatives from those States voted against the repeal. From these facts it conclusively appears that the repeal of the Missouri Compromise was brought about by those who represented the slave interest and against the will of those who represented the free North. And when it is considered that this was done in express opposition to the compromise measures of 1850, it does not become those who accomplished it to accuse those who resisted the appeal of sectionalism. The Missouri Compromise had remained undisturbed upon the statute-book for thirty-two years. When enacted it restored peace and quietness to the country, at a time when, without it, the Union might have been imperiled. When repealed under the circumstances here detailed—after the compromise of 1850 had borne good fruits, and while it was still bearing them—it again opened the box of Pandora and scattered its ills throughout the whole country. The question of its constitutionality had been conceded by men of all parties and in all the sections, up till the period when the public peace was disturbed by factional estimates of the value of the Union. The rules of constitutional interpretation had been settled by the highest judicial tribunals in the country and acquiesced in by the National and State Legislatures, as well as by the people generally; but the time had been reached when those who sought after wisdom and enlightenment from these sources were stigmatized as “old fogies,” incapable of comprehending the tendency of modern events. A new definition of conservatism was forged; so that instead of implying the desire to preserve as immutable the principles which had the indorsement and approval of “the

fathers," it was made to signify such innovation upon those principles as would lead the country into new paths. Stability in government was denounced as delusion, and the wildest experiments were accepted as evidence of statesmanship. In fine, the precepts of the Revolutionary age were considered as relics of the past too hoary to be followed, and designed only to place undue restraint upon the spirit of innovation.

The mind of Pierce was thoroughly inoculated with this spirit of innovation, and accordingly, in his annual message of December 31, 1855, he attempted to prove by a long and labored argument—and I do not doubt the sincerity of his belief that he did prove—that the government of the United States, instead of being a nation co-equal with other nations, is a mere compact or "league" between sovereign and independent States, each one of which requires conformity to its own will, and holds in its hand the rod of chastisement with which to inflict punishment at its own discretion. He applied to the government the term "general," in preference to national, because it signified such limitations upon its powers as to repudiate the idea of sovereignty and substitute for it that of agency and inferiority. Hence, he considered the Congress of the United States as a mere "congress of sovereignties"—that is, of sovereign States—entirely ignoring in this assumption the prominent and controlling fact that, in the preamble to the Constitution, it is expressly and emphatically asserted that the government of the Union was created by "the people of the United States." He displayed both earnestness and ability in promulgating his theories, but suffered his en-

thusiasm to lead him into the excess of separating the American people entirely from the "general government," and leaving it subject to the dominion of the "sovereign States"—for, if the people of the States have alone formed their State governments, and these, as such, have entered into a compact or league of "general government," then it is false and misleading to say that there is any such political community as the people of the United States in any other sense than as they are the people of the several States, incapable of aggregation for the purposes of government, or with any other view than mere statistical enumeration.

By this fallacious method of reasoning, which had been exploded by all his predecessors from Washington down, he persuaded himself to the conclusion that the Missouri Compromise was unconstitutional and congratulated the country upon its repeal. This was not unexpected, for by that time he had become accustomed to employ arguments, almost *ex parte*, in favor of the slaveholders, apparently unconscious of the fact that citizens of the free States had any interest whatever in the common property of the nation. The process of reasoning he adopted was equally well calculated to prove that the celebrated ordinance of 1787, for the government of the Northwestern Territory, was also unconstitutional, and that the States which had been formed out of that Territory could constitutionally have been made slave States, in disregard of its provisions. With whatever earnestness and sincerity he may then have done this, it is easy now to see, after the animosities of that period have been extinguished, that the immediate effect was to satisfy slave-

holders that their efforts to carry slaves to the Territories and to hold them there as such, under the protection of the "general government," did not violate the compromise of 1850, but that efforts upon the part of citizens of the free States to prevent this, even by fair and legitimate means, were violative of that compromise. What he said was equivalent to saying that the compromise measures of 1850 were binding upon the North but not upon the South. And such was the manifest import of all the reasoning of this well-written message, as well as of that which followed it, as will now appear to any dispassionate reader who will carefully and intelligently scrutinize the contents of both. His zeal in behalf of those who had brought him out of retirement and made him President far exceeded any he displayed for the nation at large, not because he harbored in his mind any hostility to the Union, but because he allowed his attachment for these friends, in obedience to the dictates of his impressible nature, to close his eyes to their excesses and minimize their faults, while, at the same time, he magnified those of their Northern antagonists. Such impulsive acquiescence in the suggestions which spring from private intercourse and friendship is not only commendable, but proves the possession of natural qualities of head and heart which tend to refine and elevate their possessors. They are unsuited, however, to the public affairs of State, because individuals alone are not concerned in these—they influence the interests and fortunes of whole populations. I am willing to believe that Pierce may not then have considered his sectional utterances intemperate or uncalled for, but rather as the outburst of a

sympathetic heart. But scrutinized now, in the light of the events which have since occurred and have become integral parts of our history, his eloquent advocacy of the exorbitant demands of his Southern friends and allies appears more like the personal defense of a cause he believed to be enfeebled by the imprudent zeal of its sectional defenders, than the dispassionate argument of a statesman who felt himself inspirited by the broad and comprehensive sentiments of nationality.

The controversy in Nebraska and Kansas was well calculated to put both the patience and patriotism of Pierce to a severe test. The indiscreet and unwise repeal of the Missouri Compromise opened both of those Territories to the introduction of slavery, if it was not actually intended to invite it. Consequently, a direct issue was made between freedom and slavery, which involved two controlling considerations,—first, the humanitarian aspects of slavery as a permanent institution, and, second, the enlargement and increase of the slave power, so as to give it complete and perpetual dominion over national affairs. Without any present regard to the former of these considerations, it is sufficient to say of the latter that it forced upon the country a question of vast importance to every section, and this in palpable violation of the compromise of 1850, as well as the dictates of patriotism and prudence. The natural and inevitable effect was to incite the desire upon the part of Northern and Southern populations to occupy the Territories—the former to keep them free and the latter to convert them into slave States. Among these populations the Northern were more accustomed to emigration to the Northwest than

the Southern,—mainly to better their temporal condition and fortunes. In the South, however, a new motive for increased and increasing emigration arose out of the political desire to give to that section the controlling influence over national affairs, and this motive was entirely independent of the desire to better the temporal condition of the emigrant. In each section the managers urged their respective adherents forward to fight the great political battle—not caring, in the least, whether they procured permanent homes or not. They sent them as political missionaries—some for the cause of freedom, others for that of slavery—and held themselves in reserve for enjoying, at their own homes, but in neither Nebraska nor Kansas, the fruits of such political victory as was won. It was strange infatuation which caused this fierce struggle to be recognized as territorial only;—it was national both in its immediate bearings and its ultimate consequences. If the South had won, slavery would have become the controlling condition in territorial settlement and organization, while freedom would have been the exception. But the South did not win; and those who remember that controversy, or shall acquire accurate information of it from the history of that period, can not escape the conviction that to the same misguided zeal which brought it on is the South alone indebted for the ultimate extirpation of slavery.

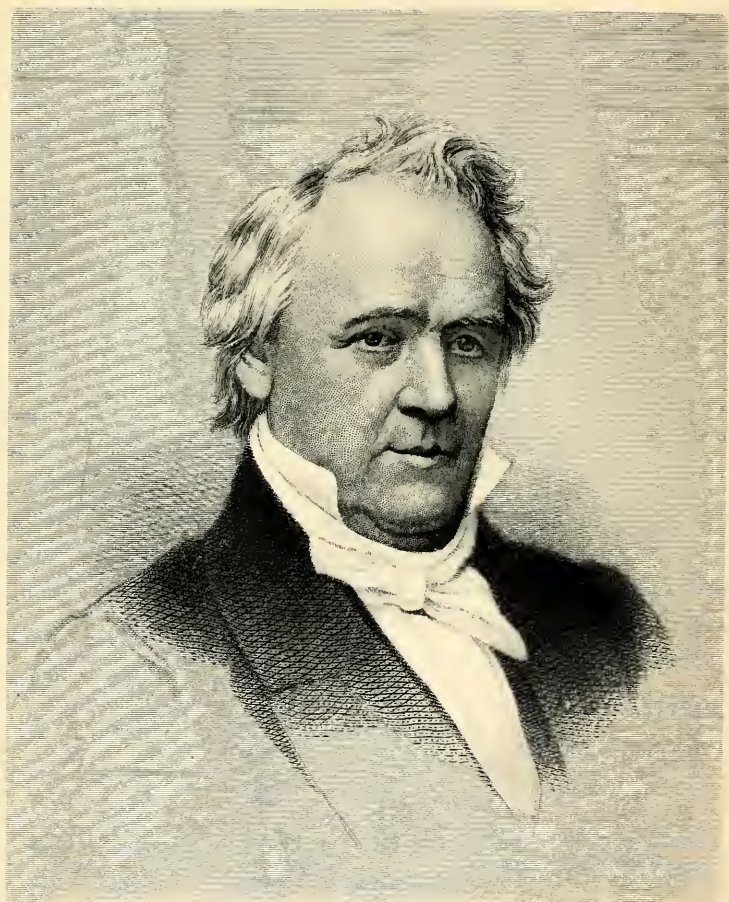
It was not owing to Pierce that the South did not succeed. If any reader capable of verbal analysis will read his special message to Congress, dated January 24, 1856, he will find that he assigns the troubles in Kansas partly to “local mal-administration,” but in a greater degree to

“the unjustifiable interference of the inhabitants of some of the States foreign by residence, interests, and rights to the Territory.” If the reader of this message will pause at this point he will be inclined to agree with and commend him for excluding from Kansas the slavery propagandists from just across the Missouri boundary-line, as well as the free-State missionaries from New England. But if he will read a little further he will see that while he regards both of these classes as “foreign by residence,” he considers the New Englanders as unauthorized and unjust intermeddlers, and justifies the Missourians, because they were “near to the Territory of Kansas,” and the people of the latter “were to become their neighbors;” as if the rights of citizenship upon questions concerning the welfare of the nation were hedged in by the boundary lines between the States, or between them and the Territories. Inasmuch, therefore, as the “domestic peace” of Missouri would be “most directly endangered” by making Kansas a free State, his zeal in behalf of the extension of slavery so infatuated him—unconsciously, no doubt—that he could not realize his own official inconsistency, which everybody else could see.

But no matter now for this. Pierce was honest in his opinions and in the expression of them. To him they doubtless seemed justified and sustained by the existing condition of the country. Possibly, if he had lived a few years longer, his fine intellect, matured by still greater experience, would have enabled him to realize that some of the things I have pointed out as errors of administration were truly so. At all events, when the War of the Rebellion broke out and his former allies in the South

made an effort to pull down the pillars upon which the National Union was resting, he raised his eloquent voice in condemnation of the act, and implored the people of his native State to stand by the national cause and lend a helping-hand to the government in maintaining the Union. If he spoke kind words to his old friends of the South, his sentiments were controlled and dominated by the desire to see the national cause triumphant. If he did not live long enough to witness all the fruits which that triumph has borne, he did not go to his final sleep until it became complete. And now that I have survived him, and have expressed my opinion of his public acts with both freedom and candor, I can not close without saying that, as a personal friend whose private virtues and generous impulses I admired, my hope is that he may be sleeping sweetly.

JAMES BUCHANAN



James Buchanan

CHAPTER XV

JAMES BUCHANAN

MANY now living have no personal knowledge of the terrible internecine struggle into which this country was plunged by the sectional infatuation of Southern politicians, about the close of Buchanan's administration, and many others have but shadowy remembrance of its causes. Some of these were remote, others immediate; but whether the one or the other, their culmination then makes that period not only one of the most important in our recent history, but difficult of detailed and satisfactory explanation. There may be discovered, however, evidences to show that Buchanan was surrounded by many serious and trying embarrassments,—such as none of his predecessors encountered. That he was held responsible for many things not justly chargeable against him is probably true, in view of the intense excitement which prevailed. Yet, at the same time, the actual "truth of history" assigns to him a feebleness of purpose and timidity of conduct, which contributed in a large degree to results that might have been escaped by bold and intrepid action upon his part. It ought not to be said of him that he sympathized with the *objects* of the rebellion,—for the supposition that he was willing to contribute knowingly anything to the overthrow of the

Union would be, in my opinion, both unjust and unmerited. But it is not easy to escape the conviction that he temporized with those to whom he was indebted for the Presidential office to such a degree that his administration became powerless to encounter their disunion plottings, and contributed, without his intending it, to the end they sought after. Unexpected consequences often follow a combination of causes, as surprising to those who aided in producing the combination as to others. This, it is fair to say, was the condition in which Buchanan was placed more by the contrivances of others than by himself. Much of the wrong he did he believed to be right, and acting under this conviction, he pursued his course to a dangerous extremity, doubtless hoping that at last all sectional wounds would be healed, and his wisdom justified by the removal of every cause of sectional disturbance and the complete vindication of the integrity of the Union. Whatever I may once have thought and said, when the light did not shine as clearly upon his administration as it does now, I am unwilling to withhold this voluntary tribute to his patriotic purposes. "Let justice be done though the heavens fall." Justice is represented as a blind goddess, holding at perfect equipoise the scales with which she weighs the merits and demerits of us all, and now when each fleeting day makes more apparent the faults I have myself committed, I am admonished of the duty and obligation of dealing generously with those of others. At the time of their occurrence many of the acts of Buchanan's administration seemed to me not only hurtful to the country, but unpardonable. But it may have been that my own attach-

ment to the Union was such that I erroneously supposed I saw signs of hostility to it, when he was striving with perfect sincerity, by instrumentalities he deemed would be effective, for its perpetual preservation.

The national convention which nominated Buchanan for President met at Cincinnati June 2, 1856. His chief competitor was Pierce, whose friends urged his selection with great earnestness and zeal, because they considered it important that the policy of his administration should be indorsed, inasmuch as a departure from it would disarrange their plans for the future. Douglas and Cass were also voted for, but the main contest was between Buchanan and Pierce. Many of the ballotings were merely experimental until after the fifteenth, when the friends of Pierce, finding his nomination impossible, withdrew his name and left the contest between Buchanan and Douglas, as Cass was at no time a formidable competitor. On the sixteenth ballot Buchanan received 168 votes, Douglas 121 and Cass 6, which gave the former a majority of 41 of the whole vote and led to his unanimous nomination on the next or seventeenth ballot. Whereupon John C. Breckinridge, of Kentucky, was nominated for Vice-President. A platform was then adopted which, upon general subjects, did not materially differ from that of 1852, upon which Pierce had been elected. It repeated what was there said condemnatory of slavery agitation, strangely ignoring the prominent fact that those who composed the convention and their friends and allies had caused the Missouri Compromise to be repealed, and had themselves thus revived the slavery agitation after it had been quieted by the com-

promise of 1850. And besides, with equal obtuseness, the platform continued this agitation by taking the side of and encouraging those who were then striving, with or without law, to make Nebraska and Kansas slave States and vigorously censured those who were trying to make them free. In its special features upon these exciting subjects it was flagrantly sectional, rivaling in this respect some of the declarations put forth by those who claimed to be distinctively abolitionists.

Why Buchanan should have been preferred to Pierce, in view of the course of the latter's administration, was not then easy to explain. The problem is more solvable now. He had been personally engaged, while minister to England—along with our ministers to France and Spain—in negotiating for the purchase of Cuba, and was the author of the "Ostend manifesto." Inasmuch, therefore, as this purchase was considered essential to the increase of the slave power by adding slave territory to the Union, it was manifestly believed that his familiarity with the question, as well as with the diplomatic methods of influencing the Spanish authorities, would afford him such facilities when President as would give better promise of success under his than under Pierce's administration, inasmuch as the latter had attempted the negotiation and failed. Besides, there was another consideration regarded as favorable to Buchanan. He had been, in early life, what was known as a Federalist, and had won his first distinction as the advocate of a strong national government and the consequent weakening of the powers of the State governments. He had been accustomed to construe the Constitution so as to justify the exercise

of implied powers to such an extent as the "general welfare" required. But he had abandoned this method of constitutional interpretation and adopted the opposing theory, which weakened the National Government and strengthened the State governments. He was not charged with insincerity, nor was his integrity impeached in consequence of this change; yet, like other zealous converts to new opinions, he pursued the State-rights line of thought and argument, after adopting it, until he became recognized as one of the ablest among the Northern defenders of the doctrines embodied in the Kentucky and Virginia resolutions. Hence, as these resolutions had been introduced into the platform of 1852 and were repeated in that of 1856, it was fitting to give him preference over Pierce, who, while he accepted them as containing true doctrines, had not been so conspicuously their advocate as he had. In fact, no other politician of the North had rivaled Buchanan in this respect, and not very many in the South; so that his nomination was an admirable stroke of policy upon the part of those who were then exerting their utmost power and taxing all their energies, to lessen the powers of the National Government by increasing those of the State governments, to such an extent that Nebraska and Kansas should be made slave States and future territorial organizations so regulated as to assure the permanent triumph of the slave over the free States in subsequent sectional contests for political power.

Before the nomination of Buchanan and Breckinridge, a national convention assembled in Philadelphia, Feb-

ruary 19, 1856, and nominated Millard Fillmore, of New York, for President, and Andrew J. Donelson, of Tennessee, for Vice-President; and another which afterwards met also at Philadelphia, June 17, 1856, nominated John C. Fremont, of California, and William L. Dayton, of New Jersey, for the same offices. There were thus three presidential candidates, and that fact was considered favorable to Buchanan, inasmuch as those upon whose support he relied were too earnest in the pursuit of a common object to allow their ranks to be divided, whereas his opponents were not united by any binding tie. The public expectation was fulfilled by his election, although it was additional evidence to show how a candidate who receives a minority of the popular vote may be constitutionally elected President. Of the popular vote then cast he received 1,836,169, Fremont 1,341,264, and Fillmore 874,531. Consequently, while Buchanan received a plurality of 496,905 over Fremont, he fell 377,626 short of a majority of votes polled. The slave States voted solidly for Buchanan, except Maryland, which gave a majority of 8,064 for Fillmore. In ten of them Fremont did not receive a single vote, while in Kentucky he received 314, Maryland 281 and Virginia 291—making only a total of 886 out of more than 1,000,000 votes cast in the slave States. When, therefore, we take into consideration the fact that Buchanan was running upon a platform which emphatically indorsed the sentiments of the South and the further fact that he received in the North majorities aggregating over 750,000, this insignificant vote of Fremont was not merely absolute proof of sectionalism in the South, but an in-

vitiation to like sectionalism in the North,—if, indeed, it were not the outgrowth of a defiant spirit. There are not many persons so tame as to submit quiescently to either indignities or blows from such as employ them to indicate either antagonism or hostility,—and aggregated communities never do, because a common instinct incites them to resistance. Nevertheless, Buchanan received 174 electoral votes, Fremont 114, and Fillmore 8,—which gave him a majority of 52 over both and entitled him constitutionally and legally to the Presidential office.

His inaugural address, delivered March 4, 1857, was clear and sufficiently concise,—exhibiting great ability, for which due credit was universally given to him. The reference it contained to slavery agitation was appropriate and satisfactory to the public. While he made no allusion to the violation of the compromise of 1850 by the repeal of the Missouri Compromise, whereby the whole question of slavery in its manifold bearings was reopened by those who had elected him, he did display some impatience at the condition of the country, which he afterwards attributed mainly to that repeal. He expressed the belief, however, that the true solution of the difficulty regarding slavery in the Territories was dependent upon the ultimate decision of the people of each Territory. This he called “popular sovereignty,”—entirely distinguished from the “squatter sovereignty” doctrine of Douglas in this, that while the latter recognized the right of the people of a Territory to admit or exclude slavery at any period of their territorial existence, his doctrine confined the exercise of that right to the time when they were authorized by law to form a constitution

preparatory to admission into the Union as a State. This was a proper and commendable display of wisdom upon his part, but it is not probable he would have made the issue between these two theories so direct and palpable as he did by his inaugural, if he could have foreseen the consequences to which it ultimately and inevitably led. Nevertheless, it is possible that he then merely intended to rebuke the excesses and intemperance of those whose extreme violence had produced threatening complications in Nebraska and Kansas—more especially in the latter. This is as far as he could go with propriety in an inaugural, which is understood to deal only with generalities,—among which he evidently classed the proposition laid down by him with so much emphasis,—that the people of a Territory when forming a State constitution, but at no other time, have the complete and exclusive power to settle the question of slavery for themselves.

There was one portion of the inaugural especially significant to those who were admitted behind the screens, but which to those who were not was altogether unmeaning, except as boastful exultation at the “glory” we had achieved in extending our territorial limits “by fair purchase,” while such other nations as did so had enlarged “their dominions by the sword.” The public accepted this as they would a beautifully rounded period in a Fourth of July address, but the politicians who had defeated Pierce and planned the nomination and election of Buchanan understood it to mean, as it undoubtedly did, the purchase of Cuba. They had set their hearts upon that measure, and Buchanan well understood that they would

invoke the employment of all his executive powers to accomplish it, and hence he considered it advisable, at the beginning of his administration, to avow his readiness to comply with the condition—whether express or implied no matter—which had borne so conspicuous a part in defeating Pierce and in securing his own nomination and election. Consequently, when continuing, he said: “No nation will have a right to interfere or to complain if, in the progress of events, we shall still further extend our possessions,” he furnished his pro-slavery allies the strongest possible inducement for rallying to the support of his administration, and was thus enabled to start out with the most flattering prospects of complete success.

It would serve no valuable purpose now to revive, in the minds of any, recollection of the multitude of events which grew out of the Kansas embroglio, and, like leaden weights, dragged down the administration of Buchanan. They served, for a time, the bad purpose of convulsing the nation to its utmost extremities, and those of the present day who should undertake to discover the truth in the mass of chaotic materials would be likely to find themselves lost in an inextricable labyrinth. There are, however, some prominent facts, not disputed, which clearly show the extent to which Buchanan employed his executive power exclusively in behalf of those who endeavored, by fair means or foul, to force slavery upon the Kansas people. That he condemned the North and applauded the South in all that was done by the two classes of disputants no ingenuous man will deny. As he hated the abolitionists of the North with an intense hatred, he classed with them every man, whether in or

out of Kansas, who advocated a free-State constitution, and held himself in constant readiness to consign them to the hottest fires of persecution. To him the unsworn statement of a single advocate of slavery was worth more than piles of affidavits from the friends of freedom. To him an abolitionist was a leper, to be shunned and avoided as one who propagated a fatal disease. The fact that such a man was a *bona fide* citizen of Kansas and had secured to him by law the undoubted right to vote, was of no consequence, when his vote counteracted the influence of the propagandist of slavery specially imported from Missouri and other slave States. To him the Topeka Constitution was revolutionary and lawless and the Lecompton Constitution was lawful and right, notwithstanding the former was an effort of the free-State population to protect themselves from armed bands carried there to establish slavery, and the latter had its inception and origin in a "reign of terror," not of the same proportions as the Commune of Paris, but akin to it.

These things are of but little importance now, except as they serve to show how the strongest minds are sometimes influenced and warped by political ambition, and as helps to a proper understanding of Buchanan's leading characteristics. He was opposed to slavery upon principle,—as he often declared, when it was proper for him to do so. But in order to supplant Pierce and reach the Presidency—the *ultima thule* of his political ambition—he had permitted himself to become entangled in an alliance with those whose chief object was its extension and perpetuation, and consequently the principle involved became of secondary import when compared with his own

personal success. He was tightly bound with cords which could only be unloosed by those who wound them around him, and this they were unwilling to do until their ends were accomplished. Before his captivity, his vigorous mind had enabled him to see clearly that, by the covenant of union when the government was formed, the right to hold their slaves was guaranteed to the slave States; but after that his intellectual vision became so changed that he thought he saw that, within this constitutional right, there was included the additional right to extend slavery wherever beyond these original State boundaries the interest of slave-holders, or the cupidity of slave-dealers, might require. How this could be done consistently with the obligation to maintain freedom in preference to slavery, as a matter of principle, he could then see for the first time,—notwithstanding, in order to see it, the perversion of his highest intellectual faculties was required. There was nothing puzzling in this perversion, when ambition presided over the court where these faculties were invoked, enlarging some, dwarfing others, but taking care to maintain its own ascendancy over all. And thus Buchanan became himself a slave—a slave to his ambition—and was so obedient to those who had the Presidential office to dispense, as to become persuaded that, although slavery was wrong upon principle, it would be right to extend the wrong provided it would assure his election to the Presidency. He could not wait much longer. Age was beginning to show its ravages upon his once robust frame. The luster of his eye was becoming somewhat dimmed. If he waited four years more, when he would

be almost three score and ten, other and younger competitors would be likely to step in before him. That was his last chance. And, consequently, he was ready to accept any terms and conditions the slave-power might prescribe in order to reward his ambition. By no other method of reasoning than this could he account, even to himself, for having consented to become the executive commander of the sectional forces combined to extend slavery—*vi et armis*, if necessary—beyond the limits of the slave States.

The cabinet of Buchanan shows a tendency to extremes,—not to disunion, for with that sentiment I am convinced he did not sympathize—but with regard to such measures as the interests of the slave-holding section dictated, no matter how those of the free-State section might be affected. His cabinet was as follows: Lewis Cass of Michigan, Secretary of State; Howell Cobb of Georgia, Secretary of Treasury; John B. Floyd of Virginia, Secretary of War; Isaac Toucey of Connecticut, Secretary of the Navy; Jacob Thompson of Mississippi, Secretary of the Interior; Aaron V. Brown of Tennessee, Postmaster-General, and Jeremiah S. Black of Pennsylvania, Attorney-General. My personal acquaintance with all these gentlemen—which was intimate with three of them—enables me to bear testimony to their ability and high character. I say this with pleasure, and the more willingly as I have survived them all. At the same time, however, it will be observed at a glance that out of the seven members who composed the cabinet four of them—a majority—were representatives of the pro-slavery sentiments and opinions of the South,

and had charge of the finances, military affairs, all matters connected with the public lands and Indian tribes, and the post-office system—which embraced almost the entire interior and domestic workings of the government,—while to the remaining three were confided foreign affairs, naval affairs, and the law department, which were separated almost entirely from these interior and domestic matters, except in so far as occasional questions of law arose. All of these four cabinet counselors had persuaded themselves to believe, and were united in the belief that the North was hostile to the South, and were, for that reason, hostile to the North. As everybody knew this in those days, it is fair to accept it as a “fixed fact.” Hence the conclusion can not be escaped, that in the management of their several departments, they gave preference to the South over the North, in all matters where the question of slavery was either directly or indirectly involved. In this they were governed by an inflexible law which regulates human conduct,—whereby the actions of individuals become responsive to their purposes and intentions. Therefore, as, with each one of them, the interests and welfare of his section—possibly of his State—were positively controlling, all matters pertaining to slavery were considered from a sectional standpoint, and the ordinary affairs of administration were so conducted as to assure to the South the advantage over the North. All questions that arose, outside these ordinary administrative matters, were political in their nature and all the explanations of them were sectional in character. Those members of the cabinet who represented the slave-holding interests were undoubtedly

united, and perfectly well understood the advantages to be derived from that union. These men were bold, while Buchanan was timid,—and were entirely familiar with all the plans and methods by which boldness almost invariably wins the victory over timidity, in the conduct of political affairs. Hence, it is not at all surprising that Buchanan—dominated over by these courageous advisers—permitted his administration to maintain and vindicate all the extreme measures of the pro-slavery men in the Territories—especially in Kansas—and sent out violent anathemas against the free-State men. He ought to have seen that those who were dictating the policy of his administration were already beginning to calculate the value of the Union. I am willing to believe that he did not see this, but, on the other hand, that he yielded to those who had stronger will power than he had. There is no keen observer of human nature who has not known men endowed with the highest faculties of mind become so listless with regard to the current of passing events as to suffer them to drift to ends they did not anticipate, and who have been awakened to the actual reality by the crashing of the wrecks around them. To say this of Buchanan as President is to put a charitable construction upon his conduct and intentions, which, with every frank and candid mind, is preferable to harsh criticism and censure.

Buchanan was sensitive with regard to the position his administration would be likely to occupy in history; but, perhaps, not unduly so. While he was yet President, the State of South Carolina and other States which had cast their electoral vote for him had passed legislative ordi-

nances seceding from the Union—in other words, making an effort to dissolve it. As this disloyal step was taken by those who had contributed to his election, he undoubtedly feared,—if he did not, in fact, apprehend,—that public opinion would hold him, in a large degree, responsible, inasmuch as the events occurred during his administration. Consequently, after his retirement from the Presidency, he prepared at Wheatland, his home, a history, or defense, of his administration, which was published in 1866, in a volume of 296 pages. That he was the author of this work is plainly shown in the preface, where, speaking of himself in the third person, he says that he withheld the publication rather than “embarrass Mr. Lincoln’s administration,” and because “the author deemed it far better to suffer temporary injustice than to expose himself to such a charge.” And, in order to make himself more explicit, while still alluding to the author, he adds: “He therefore claims the merit—if merit it be simply to do one’s duty—that whilst in the exercise of executive functions he never violated any of its provisions”—meaning the Constitution. A strong necessity must, in his opinion, have demanded this defense, inasmuch as none of his predecessors had set such an example. He could easily see, however, that his attitude differed from theirs materially, in this,—that none of the friends and supporters of any previous administration had ever gone to the extremity of enacting an ordinance of secession. They who had done so then were the immediate descendants and followers of those who ventured to go to the extent of nullification under Jackson. But, in resorting to this method of defense, he

exhibited a thorough consciousness of the difference between himself and the "old hero,"—that is, that while the latter seized the hilt of his sword at the first threat of rebellion against the Union, he had "faltered in a double sense" with these same aggressors until there was left to him no other weapon but his pen. No matter, however, about the difference between Jackson and Buchanan—in the measurement of which the most vivid imagination would be balked—it is sufficient for us now to recognize this volume, prepared by the latter's own hand, as expressing accurately the views he entertained of his own administrative policy and the condition of the country while he was President and until the close of his administration. If it were read by every intelligent voter in the United States, and the whole population should be required to render a verdict based upon its contents, that verdict would be, that the divisions and angry disputes among those who elected him President were the primary and inciting causes of South Carolina's secession: and that his own executive timidity led, as naturally as effect follows cause, to results he may not have foreseen and did not desire,—that is, to the secession of other States and to civil war.

He denounces with severity the abolitionists of the North, and includes among them all who did not support his administrative policy, thus not merely excusing but justifying the clamorous accusations of the pro-slavery agitators of the slave States and their Northern allies. He alludes, in commendation and approval, to the proceedings in Kansas which led to the adoption of the Le-compton Constitution, establishing slavery, and disap-

provingly to those which led to the Topeka Constitution, creating a free State, and explains the reasons why he approved the former and opposed the latter. He gives his express sanction to the decision of the Supreme Court of the United States in the celebrated Dred Scott case, to the effect that the slaveholders of the Southern States had the constitutional right to take their slaves to any of the Territories and hold them there as such. He arraigns Douglas and his followers along with the abolitionists for having "disregarded" this decision by their "squatter sovereignty" doctrine to the effect that the people of a Territory, during their territorial existence, have the right to enact organic laws either admitting or rejecting slavery as they see fit—seemingly, in this, unconscious of the palpable fact that if the Constitution secured this right it could no more be taken away by the people of a Territory when they formed their State Constitution than before, for the plain reason that existing constitutional rights are not dependent, in any sense, upon either State or Territorial assent. His arraignment of Douglas and his supporters in the Presidential canvass of 1860 borders closely upon fierceness. Still referring to the Dred Scott decision, he says: "They treated it as though it had never been made, and still continued to agitate without intermission and with powerful effect until the very day of President Lincoln's election," while those who followed him in yielding "a willing obedience to the decision of the Supreme Court" adhered tenaciously to the "ancient and time-honored principles in support of law and order," which had been established by the party he was serving and to which Douglas pro-

fessed to belong. The immediate effect of this divergence of views between him and his friends and Douglas and his friends—as he manifestly supposed he had pointed out distinctly—was to exasperate “the Southern people” and place “in the hands of Southern disunion agitators a powerful weapon against the Union.” And inasmuch as he did not permit this volume to pass out of his hands until just after the close of the civil war, he deemed it necessary to vindicate his opinions and the policy of his administration by declaring that the war “would most probably never have existed had not the American people disobeyed and resisted the Constitution of their country as expounded by the tribunal which they themselves had created for this express purpose”—that is, the Dred Scott decision, which authorized the holding of slaves throughout every foot of the territory of the United States. This is precisely as if he had said that Douglas and his supporters in 1860 did their full share, together with those he called abolitionists, towards bringing on the civil war. And it is also an arraignment of Jackson, his administration and his multitude of defenders for their like disregard of the decision of the Supreme Court of the United States upon the constitutionality of a national bank. How marvelously strange such things now appear, when reason, remounting her throne, has quieted the passions of that period!

With this premise to build upon he proceeds to offer proof in verification of his convictions. After pointing out the tendency of the North to abolitionism and attributing this to Seward’s “Irrepressible Conflict” and to Helper’s “Impending Crisis,”—as if the conflict had

been inaugurated alone by the North, while the South had always been quiescent and composed,—he carries his readers to the national convention that met in Charleston, South Carolina, April 23, 1860, to nominate his successor to the Presidency. A careful reading of what he has said concerning this body will show that he has considered it from the pro-slavery standpoint exclusively, whereas it is clearly demonstrated by its proceedings that it was the most absolutely sectional assemblage of politicians that had ever met in the United States, in so far as its character is to be decided by its acts. No intelligent man can examine its proceedings, as they were officially announced, without seeing that it constituted an important turning-point in American politics, as well as a danger-signal, which, like one erected to warn the mariner of the coming storm, notified the country that the enemies of the Union were sharpening their swords to cut its silken cords. It was known to be composed of warring elements,—for undoubtedly there were many there who did not sympathize with this unpatriotic design,—and the reconciliation of this discord was professedly its main object. In this self-exculpatory volume of Buchanan he endeavors to explain the origin and causes of this discord, plainly with the purpose of removing from himself and his administration any censure whatever on account of it, so that it may rest, with all the odium attaching to it, upon Douglas and his friends,—for that he puts them in the same class with the abolitionists, as mischievous agitators of the slavery question, is a plain and indisputable fact. He says of those who were endeavoring to persuade this convention to nominate Douglas for

the Presidency, as his successor, that they were "strongly tinctured with an anti-slavery spirit,"—meaning thereby that they did not sufficiently repel the abolitionists, because they were somewhat in sympathy with them. And he gives this as the ground of his accusation: that they "maintained the power of a territorial legislature to impair or destroy slave property," which was equivalent to saying that all the Territories were, by the Constitution, open to the introduction of slavery at the discretion of the Southern slaveholders, who therefore possessed the incontestable power and right to make slave States of them. In this he dealt with Douglas and his supporters precisely as the pro-slavery men of the South did, he and they taking special care to omit the important facts that the "squatter sovereignty" theory of Douglas recognized also the right of the people of the Territories to authorize and establish slavery, and that upon this point Douglas and the abolitionists were separated as widely as the poles. I do not think it necessary to inquire into the justice or injustice of this, inasmuch as the mere statement of the facts conclusively show, first, the fierce war upon Douglas in the Charleston convention by Buchanan and his administration; and, second, the origin of the division and separation of their respective friends, which added fuel to the flames of sectional strife and brought on the civil war, which but for this would never have occurred, or might have been avoided. I have said of Buchanan that, in my belief, he would knowingly have done nothing to positively endanger the Union. But the foregoing events, and others to which they were intimately related, teach this lesson, that he unconsciously yielded

to the imperious and persistent demands of those sectional leaders who played with his weak and vacillating purposes as the harper plays upon the strings of his harp. It was otherwise with Douglas. With him love of the Union was an intense passion, which had "grown with his growth and strengthened with his strength." His convictions were sincere and his courage so unshaken that it protected him against all the machinations of those who were plotting against the Union. Of this the history of this Charleston convention furnishes satisfactory proof; for it is well understood that if he had then assented to the extreme opinions of the South, as Buchanan did, his nomination for the Presidency would have been assured, and that his refusal to do so caused his defeat.

One of the important steps taken by this convention was to provide that a vote of two-thirds of the delegates should be required to make a nomination. As all the States were represented and there were 303 delegates, it therefore required that 202 votes should be necessary to a choice. Although this rule had been acquiesced in since 1844, when it was introduced to defeat Van Buren and nominate Polk in order to assure the annexation of Texas and the increase of the slave power to that extent, it was then considered by the pro-slavery delegates as absolutely essential to the defeat of Douglas, and, cautiously concealing this purpose, they succeeded in having it specially provided for. It was decided that a nomination should not be made until a platform had been agreed upon, and a committee composed of one delegate from each State was appointed to construct one. On the fifth

day of the convention this committee made majority and minority reports, the former approving the decision of the Supreme Court in the Dred Scott case and the latter the "squatter sovereignty" doctrine of Douglas. This made the issue distinct and emphatic, as it was represented on one side by Buchanan and his administration and on the other by Douglas and his friends. After an exciting discussion a vote was taken upon these reports, the result of which was that 165 approved the minority report and 138 that of the majority, a majority of 27 in favor of the doctrine maintained by Douglas and against that maintained by Buchanan. Upon this vote the delegates from the following slave States—Maryland, Virginia, Missouri, Tennessee and Kentucky—were divided, but with these exceptions the slave States were united in favor of the majority report. These facts demonstrate that if instead of requiring two-thirds a majority had been permitted to control, consistently with one of the fundamental principles of popular government, Douglas would have received the nomination. And if this had occurred and the South had acquiesced in it, as fidelity to the Union demanded, the peace of the country would have remained unbroken, for whether Douglas had been elected or defeated, slavery in the States would have been protected by an observance of all the constitutional guarantees. But those delegates who maintained the theory of Buchanan were resolved that he should not be nominated, and that as they then had a President who maintained their right to carry their slaves to all or any of the Territories and hold them there, they did not intend that any man should be nominated who would not

consent to run upon a platform to that effect. As the adoption of the minority report had convinced them that this could not be accomplished, they resorted to the extreme measure of breaking up the convention. Accordingly, on April 30, after the body had been in session one week, the delegates from Louisiana, Alabama, South Carolina, Mississippi, Florida, Texas and Arkansas withdrew. After these and a few other withdrawals special action upon the two-thirds rule was had in order to assure conclusively the defeat of Douglas. Referring to it Buchanan himself says its adoption "rendered the regular nomination of Mr. Douglas impossible," showing that he was regarded as the only impediment in the way of complete pro-slavery success. The balloting commenced May 1, the eighth day of the convention, it being still insisted that two-thirds of the whole convention, or 202 votes, were necessary to a choice, notwithstanding the withdrawals. The voting continued two days, during which there were fifty-seven ballotings. The lowest vote cast for Douglas upon any ballot was 147 and the highest $152\frac{1}{2}$, while the remaining ballots were scattered among eight others. Upon the last Douglas received $151\frac{1}{2}$, James Guthrie, of Kentucky, $65\frac{1}{2}$ and 35 votes were scattering, upon which ballot Douglas would have been nominated but for the two-thirds rule. But this having been found to be, as Buchanan says, "impossible," the convention adjourned to meet in Baltimore on June 18, 1860, with the recommendation that the vacancies occasioned by those who had withdrawn should be filled. The seceding delegates also held a convention of their own and adopted a platform of a

general character, but specifically urging the acquisition of Cuba. They also adjourned to meet in Richmond, Va., on the second Monday in June, evidently expecting that as they had the support of Buchanan and his administration they would be able to bring to their side a majority of those from whom they had withdrawn, inasmuch as no such thing as the spirit of compromise existed. The country was obviously approaching an ominous and threatening crisis.

These seceders met in convention at Richmond as agreed upon, on June 11th, consisting of delegates from Alabama, Arkansas, Texas, Louisiana, Mississippi, Georgia, South Carolina, Florida, and one from each of the States of Tennessee and Virginia. After organization it adjourned to meet again on the 21st, so as to await the action of those who were to assemble at Baltimore on the 18th, with a view to negotiation. When the 18th arrived what was left of the Charleston Convention assembled in Baltimore. All the Northern States were fully represented, but the only delegates from the slave States were from Maryland, Virginia, Kentucky, Tennessee, North Carolina, and two from Delaware. The other slave States were not even called,—probably because they were taken at their word and their secession at Charleston considered complete and final. The convention, however, did not proceed far before there were other withdrawals from the slave-State delegations, leaving from 30 to 35 delegates to represent the entire South. But among these there remained enough of the enemies of Douglas to insist that he could not be regularly nominated for the Presidency without receiving two-thirds of

the entire convention as it was when it first assembled at Charleston, that is, 202 votes. This, however, was treated as purely factious by the friends of Douglas, and he was nominated on the second ballot, having received 181½ votes with 13 scattering. Herschel V. Johnson, of Georgia, was placed upon the ticket with him as a candidate for Vice-President. As the South had resolved not to submit to this, but, if it occurred, to resist it, the seceders from that section again assembled—joined by 4 from California and 3 from Oregon—and by a unanimous vote nominated John C. Breckinridge of Kentucky, for President, and General Joseph Lane of Oregon, for Vice-President. They did not expect to elect this ticket, but intended by it, as was well understood, that under no possible condition of circumstances should Douglas ever be President. But there was an object beyond this, to accomplish which it was but an incident. A Constitutional Union Convention had met in Baltimore, May 9, 1860, and nominated John Bell of Tennessee, for President, and Edward Everett of Massachusetts for Vice-President, upon a platform stripped of all complications and pledged to “the Constitution of the country, the Union of the States, and the enforcement of the laws.” And another National Convention had met at Chicago, May 16th, and nominated Abraham Lincoln of Illinois, for President, and Hannibal Hamlin of Maine, for Vice-President, upon a platform which declared that the right of each State “to order and control its own domestic institutions according to its own judgment exclusively” should be maintained,—that “the normal condition of all the territory of the United States

is that of freedom,"—and that the Constitution does not "of its own force" carry slavery into any of these territories. To these two platforms the seceders were hostile—to the first because it proposed to cling to the Union as "the fathers" had formed it, and to the second because it refused to recognize every foot of the territory of the United States as slave territory. But to Douglas and the platform upon which he had been placed, they were more intensely hostile, for the reason, scarcely then concealed, that as Buchanan had under his administration allowed them to have their own way and they had availed themselves of his hesitation and prevarications to increase their power, they, with a kind of hallucination never yet explained or understood, chose to assume that Douglas and his multitude of friends were the seceders and not themselves. It is only necessary to examine carefully the proceedings of the conventions at Charleston, Richmond, and Baltimore, and to scrutinize the result of the Presidential election of that year to see all this. Douglas did not receive a single electoral vote from the whole of the slave States, except nine from Missouri, while Breckinridge received 72 and Bell 39, these last having been cast by Virginia, Tennessee and Kentucky. The total popular vote was 4,676,853, of which Lincoln received 1,806,352, Douglas 1,375,157, Breckinridge 845,763 and Bell 589,581. The plurality of Lincoln over Douglas was 491,159, or 5,710 less than Buchanan's over Fremont four years before, so that neither Lincoln nor Buchanan had a majority of the popular vote, although the former was elected President by 180 electoral votes or a majority of 57 of the whole.

The volume to which I have been referring plainly shows that Buchanan rejoiced at Douglas's defeat. He probably did not exult at the election of Lincoln, to which he contributed, in any other sense than as it crushed Douglas and his friends between "the upper and the nether millstone." His actual position, as he understood it, is easily explained—that as at the head of the 845,753, who represented the seceding faction at Charleston and Richmond and voted for Breckinridge, he felt himself entitled to rebuke and censure the 1,375,157 who voted for Douglas, because the latter, constituting a majority of more than half a million of the party first represented at Charleston, would not submit to the dictation of the minority. To them he attributed the defeat of Breckinridge in these strong condemnatory words: "It is clear that the original cause of the disaster was the persistent refusal of the friends of Mr. Douglas to recognize the constitutional rights of the slaveholding States in the Territories, established by the Supreme Court"—that is, the right of the slaveholders to carry their slaves to all the Territories and perpetuate their bondage. He cast aside all moderation, everything that had been hitherto considered conservative, and went to the extreme of vindicating the principles and policy of the 845,753 people of the South who had voted for Breckinridge and censuring and condemning the 3,181,509 who had voted for Lincoln and Douglas, for upon this question he classed all these together. There never was before, in all our history, an instance where the voice of the people, legitimately and fairly expressed, was so utterly and flagrantly disregarded, nor any other where

a President regarded it as one of the prerogatives of his office to pass a sentence of direct censure and rebuke upon the great body of the people. With strange infatuation he cut himself loose from a majority of those who had elected him President and set such an example of defiance to their will, as well as to that of the great body of the people of the United States, as to invite the extreme South to desperation. Then immediately followed preparations for war against the Union upon the part of those with whom he had co-operated and whose principles he had espoused. South Carolina passed an act calling a convention to prepare for seceding from the Union. Preparations looking to the same end were begun in other slave States. It was resolved that the triumph of the Southern minority over the Northern majority was of more value than the Union. Consequently his annual message was looked for with great anxiety, with the hope, on the part of the friends of the Union, that he would suggest some course of procedure that would arrest his extreme Southern allies and followers in the slave States and reconcile them to remain at peace with the Union. When the message appeared, however, December 3, 1860, it sent throughout the whole North and East and West a thrill almost of agony, which permeated all classes of society. Instead of suggesting some compromise, some peaceable plan of adjustment, he went to the full extent of censuring all who had voted for Lincoln and Douglas and justifying those who had voted for Breckinridge. To make both his censure and justification the more prominent he recommended that the Constitution should be so amended as to recognize

the right of the Southern slaveholders to take their slaves into the Territories and hold them there in bondage. And, in addition, he declared that unless the Northern States should "repeal their unconstitutional and obnoxious enactments" regarding slavery, the South, "after having first used all peaceful and constitutional means to obtain redress, would be justified in revolutionary resistance to the government of the Union." He practiced no disguise upon this subject, and although he made a long and able argument to prove that secession was not a remedy contemplated by the Constitution, yet he furnished all the excuse the extreme South required, inasmuch as he classed secession and revolution together. And thus made bold by executive approval, the slaveholding States began to place themselves in hostile relations to the Union and to make preparations for open and military resistance to its authority.

South Carolina, taking the lead, passed an ordinance of secession December 20, 1860, and was followed during the month of January by other Southern States so rapidly that on February 4 a convention of their delegates met at Montgomery, Alabama, and formed a Southern Confederacy in open rebellion against the United States. Military preparations for aggressive war were immediately begun. The first question submitted to the Confederate Congress involved the propriety of attacking Fort Sumter and expelling the United States troops. Jefferson Davis, of Mississippi, was elected President, Alexander H. Stephens, of Georgia, Vice-President, and a full cabinet of executive officers was appointed. Important preparatory measures opening the way to these re-

sults had already been adopted. Possession had been obtained, by South Carolina, of Fort Moultrie and Castle Pinckney; the schooner William Aiken; the post-office and custom-house in Charleston; an arsenal at that place containing 70,000 stand of arms and other stores; the United States Steamer Marion, and the government vessel "Star of the West" had been fired upon. Georgia had seized Forts Pulaski and Jackson and the arsenal at Augusta containing two twelve-pound howitzers, two cannon, 22,000 muskets and rifles, and large stores of powder, ball and grape-shot; and had also seized several vessels belonging to citizens of New York. Florida had taken possession of the navy-yard at Tallahassee, and Forts Barrancas and McRae, also the arsenal at Chattahoochee, containing 500,000 rounds of musket cartridges, 300,000 rifle cartridges, and 50,000 pounds of gunpowder. Alabama had seized Fort Morgan containing 5,000 shot and shell, also Mt. Vernon Arsenal containing 20,000 stand of arms, 1,500 barrels, or 150,000 pounds, of powder, several pieces of cannon, a large quantity of munitions of war, and the revenue cutter Lewis Cass. Mississippi had seized the fort at Ship Island and the government hospital on the Mississippi river. Louisiana had seized Forts Jackson, St. Philip and Pike; the arsenal at Baton Rouge containing 50,000 small arms, 4 howitzers, 20 heavy pieces of ordnance, 2 batteries and 300 barrels of powder; all the quartermaster's and commissary stores in the State; the revenue cutter McClelland, and the Mint and Custom-house in New Orleans containing \$593,303 in gold and silver. Texas had seized all the guns and stores on the steamship Texas; Forts

Chadbourne and Belknap; had received from General Twiggs all the stores under his command, estimated at \$1,300,000, consisting of \$55,000 in specie, 35,000 stand of arms, 26 pieces of mounted artillery, 44 dismounted, with ammunition, horses and wagons; and the revenue cutter Dodge, and Fort Brown. Arkansas had seized the arsenal at Little Rock containing 9,000 small arms, 40 cannon and a large amount of ammunition. North Carolina had seized Forts Johnson and Caswell. And, in fact, there was nothing belonging to the United States within the boundaries of the seceded States that was not taken possession of by them, for the express and avowed purpose of putting an end to the authority of the United States within those boundaries by aggressive war.

These things were all done during the administration of Buchanan, and were not only preparations for war, but actual and existing war. It does not require the actual firing of guns to make a state of war; but if it did, the firing upon the *Star of the West*, in Charleston harbor, January 9, 1861, while Buchanan was yet President, could not be made to signify anything less than war. But preparations for assault—either of a nation or an individual—are sufficient to justify the threatened party in doing whatever is demanded by the law of self-defense. The civil war, therefore, broke out under Buchanan's administration, and imposed upon him the patriotic obligation of defending, with all the power at his executive command, the integrity of the Union. Any other President would have done so promptly and energetically; especially would Jackson have done so, without a moment's hesitation. But he hesitated and

temporized, and talked learnedly about the constitutional power of coercing a State, while the enemies of the Union were, in plain view, undermining the pillars upon which it rested,—imitating Nero who “fiddled while Rome was burning.” Instead of defying all adversaries of the government—as Jackson would have done—he received envoys, or commissioners from the Confederate authorities, admitted them to the Presidential mansion, and suffered them to declare that the Union had failed to answer the ends of its creation, and to treat of it, in his presence, as a thing of the past. At this point, he seemed to have been awakened, for the first time, to the actual reality of himself and his administration—to have realized that his prevarication and timidity had well-nigh cost the nation its life. How he must have felt then when aroused from his dream is more easily conceived than explained. But it was too late. He did not desire to see the Union destroyed, but having acquiesced so long in a course of measures planned for that purpose alone, he found his executive hands tied so tightly that he could not unloose them. Probably he then repented—as I am willing to suppose he did, and as his refusal to remove the United States troops from Sumter back to Moultrie indicated,—but whether he did or not, he had gone so far and was so completely circumvented by those whose cause he had espoused in the recent Presidential election, that there was nothing left for him to do but to turn the government over to his successor in a state of civil war!

ABRAHAM LINCOLN



Your friend as ever

A. Lincoln

CHAPTER XVI

ABRAHAM LINCOLN

IF I were to consult alone my personal inclinations, I should occupy a considerable space in expressing my estimate of the leading characteristics and virtues of Lincoln. But I do not deem it advisable to unduly tax in this way the patience of any reader into whose hands this sketch may chance to fall, because his life and history are universally known throughout the whole country and among all classes and conditions of people. Genius has taxed its best energies in the search after glowing eulogiums upon his name; and the popular affection for him will endure far beyond the time when the few who have cast aspersions upon him shall be forgotten. My attachment for him was very strong—exceeding mere ordinary respect. I practiced law in some of the courts of Illinois he had been in the habit of attending, and from his and my own professional associates had learned his estimable qualities before I had ever seen him. We met for the first time in the Thirtieth Congress, during which we served together in the House of Representatives. Several circumstances conspired to bring us together as if we had been old friends and acquaintances. Our homes were not very far apart,—the interests of our constituents were identical,—we had the same party attach-

ments,—and there were but about three months difference in our ages, he having been that much my senior. Consequently, there speedily grew up between us such close and intimate relations as only exist among those whose sympathies are in unison. These relations were never disturbed, although he knew I did not always agree with him concerning the details of his administrative policy. The nobility and generosity of his nature were too well grounded to permit mere differences of opinion to interfere with his friendship. In this respect he was an admirable model for imitation, and if his example had been more generally followed, many of the evils which have afflicted the country would undoubtedly have been avoided.

The nomination of Lincoln for the Presidency was a triumph of conservatism, which he distinctly and emphatically represented. His principal competitors were William H. Seward and Salmon P. Chase, both of whom were men of distinguished ability and better known throughout the nation than he was, but they were the representatives of extreme views upon the slavery question, the former having expressed the idea of an “irrepressible conflict” between the sections, and the latter, if he did not approve it, having gone to a like extreme. The convention which nominated him assembled in Chicago, May 16, 1860, and was composed of 465 delegates, representing all the free States and the following slave States: Delaware, Maryland, Virginia, Kentucky, Missouri and Texas. Before the balloting began a platform was adopted containing this emphatic pledge: “That the maintenance inviolate of the rights of the

States, and especially the right of each State, to order and control its own domestic institutions according to its own judgment exclusively, is essential to that balance of power on which the perfection and endurance of our political fabric depends." This was understood to mean, and did expressly mean, that the right of each State to establish slavery or to maintain it where it already existed, was guaranteed by the Constitution. Upon this point there was nothing equivocal. Nor was there with regard to "the new dogma" set up by the politicians of the slave States, whereby it was claimed that "the Constitution, of its own force, carries slavery into any or all of the Territories of the United States," which proposition it denied as "a dangerous political heresy," and avowed this counter theory, "that the normal condition of all the territory of the United States is that of freedom."

The fact should not be disguised, however, that there were among the supporters of Lincoln some who represented more extreme anti-slavery sentiments than were set forth in this platform, and who would have been more content with a candidate reflecting Northern in opposition to Southern sectionalism. But, at the same time, it should not be forgotten that they constituted a disturbing element in the convention itself, and brought about a controversy in that body between themselves and the conservative members, and that the latter triumphed over them by securing a large majority in favor of the platform, and the unanimous nomination of Lincoln as the representative of its principles. The pretense, therefore, which was afterwards set up, that Lincoln was an

entirely sectional candidate, was answered and overthrown by the palpable fact that the convention announced these three distinctively conservative propositions: 1. That no power existed in the National Government to interfere with slavery in the States, but that the States themselves could introduce, maintain or abolish it at their own pleasure. 2. That the Constitution did not, of its own force, carry slavery into the Territories. 3. That the normal condition of the Territories was that of freedom. To have said, as the slavery extensionists did, that this was sectionalism was in direct conflict with the expressed opinions of all the departments of the government—legislative, executive and judicial—frequently repeated during all the previous life of the nation, especially by the ordinance for the government of the Northwestern Territory, the Missouri Compromise, and the compromise of 1850.

It should be remembered, also, that there were differences between the opponents of Lincoln as irreconcilable as those existing among his supporters, and far more sectional. We have already seen that they disrupted the Charleston convention, and could not be reconciled at that of Baltimore; and more than that, their disruption led to the nomination of Douglas by the latter convention, and that of Breckinridge by the seceders in another purely sectional assemblage at Richmond. The platform of these seceders made a distinctive issue by affirming that the Constitution carried slavery into the Territories, but as this was denied both by the convention which nominated Lincoln and that which nominated Douglas, Breckinridge was made the representative of a mere sectional faction, making no pretense whatever to national-

ity. Of course those engaged in this movement did not expect his election, and consequently could have but one object in view, that is, to assure the defeat of Douglas, in order that, by the election of Lincoln, the slave States should become so consolidated as to be prepared for any future exigency. There was not a man concerned in it who did not know that the proposition that the Constitution carried slavery into the Territories represented the extremest Southern sectionalism, and that the North would never consent to it.

In 1850, while the Senate had under consideration the measures which became the compromise of that year, Jeff Davis, of Mississippi, moved an amendment substantially affirming this proposition by declaring void all laws which prevented slave-owners from transporting their slaves into the Territories and holding them there as such. The Senate rejected this amendment by a vote of 33 against it to 22 in its favor. The affirmative vote was entirely sectional, every Senator being from a slave State, while the negative was composed of all the Senators from the free States, and Benton, of Missouri; Clay, of Kentucky; Foote, of Mississippi; Pierce, of Maryland, and Spruance and Wales, of Delaware—making six from the slave States. There never occurred after this any reason to believe that the proposition would ever meet with more favor, and being so contrary to the principles established by “the fathers” during all the early history of the government, the conclusion can not be escaped that the friends of Breckinridge were rallied to its support for the express purpose, already formed,

of making it—knowing it would be rejected by the country—the rallying point for the inauguration of a war of the slave States against the Union. It was a flagrant false pretense, bottomed upon a treasonable design.

The result of the election was the expression of public confidence in the conservatism of Lincoln. Upon the three most prominent questions—the right of Congress to interfere with slavery in the States, the normal condition of freedom in the Territories, and the constitutional obligation to execute the fugitive slave law—he and Douglas were agreed. This is shown by their great debate in Illinois, which, at the time, attracted universal attention. Upon the first two of these propositions Lincoln was always express and emphatic, representing therein not only his own opinions but those of the convention which nominated him. In his reply to Douglas, when their joint debate was brought to a close at Alton, October 15, 1858, he dwelt at some length upon the last, the fugitive slave law, and said that, while he had no taste for catching slaves when they escaped into the free States, yet as the right to recapture them was guaranteed by the Constitution to their masters, he gave his support to a fugitive slave law because it was provided for by the Constitution. At this point of his argument he insisted that Douglas was an abolitionist, because, if his “squatter sovereignty” doctrine, which gave the people of a Territory the right to create or abolish slavery, were sustained, then a Territorial Legislature would have the power to override this constitutional provision by abolishing slavery and making fugitive slaves free! This must have staggered Douglas not a little, as it was undoubtedly a home-

thrust, and although he alluded to it in his reply, it was jocularly done, but he made no attempt at an answer or an explanation.

Lincoln's conservatism was distinctly expressed in a speech made by him in September, 1859, at Cincinnati, wherein, touching slavery, he declared: "I say that we must not interfere with the institution of slavery in the States where it exists, because the Constitution forbids it, and the general welfare does not require us to do so. We must not withhold an efficient fugitive slave law because the Constitution requires us, as I understand it, not to withhold such a law. But we must prevent the outspreading of the institution, because neither the Constitution nor general welfare requires us to extend it. We must prevent the revival of the African slave-trade and the enacting by Congress of a Territorial slave code. We must prevent each of these things being done by either congresses or courts. The people of these United States are the rightful masters of both congresses and courts, not to overthrow the Constitution, but to overthrow the men who pervert the Constitution."

It will be seen, therefore, that his chief and controlling object was to prevent the extension of slavery into the Territories and the consequent increase of the slave power. He knew—as everybody else did—that the object of the slave States was to re-acquire the political power which they had lost by the rapid growth of the free States, so that they could have absolute control of all national affairs—including executive, legislative, and judiciary—and make the free States dependent upon them. He was unwilling to arrest the growth and de-

velopment of the country by converting free into slave territory—well knowing the blasting and blighting influences of slavery wherever it had existed. Consequently, when the result of the Presidential contest of 1860 is properly viewed, it will be seen—now that the passions then prevailing have subsided—that the only question settled adversely to the South, by Lincoln's election, was the non-extension of slavery into the Territories; in other words, the refusal of the North to turn over to the South the entire management of national affairs. It is impossible fairly to reach any other conclusion than this, when the positions of the several candidates and the votes received by each of them are properly considered. There were 4,676,853 popular votes cast. Lincoln received 1,866,352; Douglas, 1,375,157; Breckinridge, 845,763, and Bell, 589,581. Lincoln's plurality over Douglas was 491,195. The majorities and pluralities in the States were such that the electoral vote was divided as follows: Lincoln 180, Breckinridge 72, Bell 39, Douglas 12; which gave Douglas 60 electoral votes fewer than Breckinridge, notwithstanding the popular vote of the former was 529,394 more than that of the latter. But the vote of Breckinridge was almost entirely sectional, inasmuch as he was supported by all the slave States except Kentucky, Tennessee, and Virginia, which voted for Bell, and Missouri, which voted for Douglas,—this being the only slave State that did so. It is impossible to conceive of a more sectional vote than that cast for Breckinridge. It was intended as the condemnation of both Lincoln and Douglas and an arraignment of the entire North, for the single reason that the people in that

section would not assent to the new and strange proposition that the Constitution by its own terms carried slavery into all the Territories,—the most ultra latitudinarian construction of that instrument ever before known, and which threw the old Federalist doctrine of implied powers entirely in the shade. I once heard the question discussed by Webster and Calhoun in the Senate, and was never more forcibly impressed by the difference between a profound constitutional lawyer and statesman, and one who had “cabined, cribbed, confined,” the faculties of his great intellect within the narrow confines of sectional fanaticism. Webster’s argument was clear, comprehensive and conclusive, and so brushed away the sophistries of Calhoun as to make the latter appear feeble than he would have been if not hampered by sectional prejudice. The one defended the great principle of nationality, for the preservation and perpetuity of the Constitution was expressly extended over the original thirteen States; while the latter placed such limitations upon that principle, and so hedged it in, as to make it subordinate to the higher and broader powers of the States, as distinct and independent sovereignties. Webster considered the Constitution as a sacred and indissoluble contract of union between all the people of the United States; Calhoun regarded it as expressing merely a confederation of independent States, each one of which could judge for itself of infractions upon it, and terminate the Union at its own pleasure, in defiance of all national and coercive power.

When the Presidential election occurred, in November, 1860, it was impossible to anticipate the consequences

likely to ensue between that time and the commencement of Lincoln's administration, March 4, 1861. No man was ever elected President with such threatening and uncertain surroundings as Lincoln. The condition of affairs had never before been so agitated. All who observed intelligently the progress of events could see a cloud appearing upon the national sky, which, if not then "larger than a man's hand," exhibited unmistakable evidences of increasing dimensions. A dissolution of the Union had been threatened in the event of his election, and there were such evidences of passion and anger among the Southern people as to excite in the minds of those familiar with them the fear, if not apprehension, that these threats were not mere idle bravado. The Northern people were in a condition of quietude in striking contrast with these warlike threats, and hence the preparations for war among the agitators of the South,—as detailed in the last chapter,—were made almost without observation even in some portions of the South, and without knowledge or suspicion in the North. By the secret methods adopted a state of war against the Union was actually produced during Buchanan's administration, and the government, consequently, was passed over to Lincoln in that condition as an inheritance from his immediate predecessor. Consequently Lincoln was in no sense chargeable with the seizure of the forts, arms and ammunition in the South by the enemies of the Union, because this had been accomplished under Buchanan, who must have known it unless neglectful of official duty, or if he did know it, was almost *particeps criminis* in not resisting it by requiring the forts to be re-surrendered and the

arms and ammunition returned. It must therefore remain as a historic fact that Lincoln was not responsible for the condition of affairs when his administration commenced.

I have stated elsewhere, and it deserves to be repeated, that firing of guns or actual bloodshed is not necessary to create a state of war. Nor is war always made by public proclamation. A country or State threatened with hostile invasion is not required to await an attack from the invaders, but may justifiably open fire upon them in self-defense whenever they begin their military preparations. These facts are incontrovertible: That the authority of the Union was defied and rebellion against it was begun by South Carolina as early as December 20, 1860,—a few weeks only after Lincoln's election; that the same was done by other Southern States during January, 1861, and that within the next month these rebellious movements culminated in the formation and organization of what was called the Confederate Government—in flagrant opposition to that of the United States—with Jeff Davis as its President. And to assure reasonable prospect of success in these rebellious measures, the forts, arsenals, arms and ammunition belonging to the United States were seized with hostile intent, as detailed in the last chapter. Moreover, the *Star of the West*—a government boat—was fired upon in Charleston harbor. If all these things did not create a state of war against the Union it would be difficult to conceive a condition of things that would do so. The Confederates themselves regarded war as existing, and boasted that they had achieved their independence with-

out bloodshed. They interpreted the silence and non-resistance of Buchanan to mean acquiescence upon the part of the United States government; and, with an unparalleled degree of infatuation, sent ambassadors or envoys—after the custom of separate and independent nations—to demand from him that the United States troops should be removed from Fort Sumter and that stronghold be turned over to them!

It would be hard to convey to the mind of one not already informed the degree of responsibility which rested upon Lincoln when, with these surroundings, the government passed out of Buchanan's hands into his. No President ever passed through the inaugural ceremonies under such trying circumstances. He could not fail to see, rapidly multiplying in every direction, sources of embarrassment which none of his predecessors had ever encountered. He inherited a problem which Buchanan could not solve, and which, if he did not solve, would signify to mankind that the life of the nation had expired and that thereafter for all time the belief in man's capacity for self-government would be mere delusion. If he had indulged in imaginings he could have fancied that he heard the shouts of imperialism at the victory it had partially won over popular institutions, and if he had not been a man of indomitable courage despair would have expelled the last vestige of hope from his heart. How different his position from that of Buchanan! The latter, doubtless, experienced a sense of gratification at the thought that the tremendous load of official responsibility, heaped upon him by those who had elected him to the Presidency, was removed from his own shoulders

to those of his successor, and that if Lincoln were crushed beneath its weight he could look out from his retreat at Wheatland and exult, along with his Southern friends, at Lincoln's ignominious downfall; not that he desired the Union to be destroyed, but that he looked upon the Southern Confederacy as the mere means to an end—that is, the acquisition of such political power by its allies as would enable them thereafter to manage the government of the United States in their own way and for the accomplishment of their own objects. It may not stretch the imagination overmuch to suppose him influenced by the desire that no more fresh blood from the Western prairies should course through Presidential veins, but that the country should be restored to the chivalric dominion of the slave oligarchy, to whom he was himself indebted for the Presidential office. However this may have been, the beginning of Lincoln's administration was distinguished by far greater fidelity to the Union than the closing period of Buchanan's. Let the searcher after truth read well the history of those times, and he will see this as plainly as the sun at noonday when the sky is without a cloud. And if he will read the inaugural address of Lincoln he can not withhold encomiums upon the sublime grandeur with which he rose above the mere atmosphere of party and expressed his fidelity alone to the Constitution and an unbroken Union. No undue harshness or censure was mingled with his eloquent words, but almost every thought expressed embodied within it a fervid appeal to the patriotism of the whole country, the South as well as the North. Instead of making it an indictment, with exasperating counts charging treason and

rebellion, against those who had vainly supposed they had dissolved the Union and set up a rival and independent government of their own, he invoked the spirit of national concord and harmony, intending it to be understood that he considered the Union still undissolved. To the deluded and misguided South he declared that, under his administration, all the rights of the slave States over their slave property should be preserved inviolate and that the fugitive slave law should be executed in strict conformity to the guarantees of the Constitution. With regard to the demand that the Constitution carried slavery into the Territories by its own terms, he merely re-avowed what he and Douglas and Bell had all affirmed during the Presidential canvass and which had been sustained by the enormous popular vote of 3,831,090 unitedly cast for them, against the meager minority of 589,581 cast for Breckinridge.

Having thus shown to the country and the world that this constituted the only ground which those who were endeavoring to destroy the government had left to them, he became patriotically inspired by a proper sense of his own responsibilities and declared that, in his opinion, "no State, upon its own mere motion, can lawfully get out of the Union; that resolves and ordinances to that effect are legally void; and that acts of violence within any State or States, against the authority of the United States, are insurrectionary, or revolutionary, according to circumstances." And having laid down these incontestably correct national propositions, he followed them immediately by further declaring: "I, therefore, consider that, in view of the Constitution and the laws, the

Union is unbroken, and to the extent of my ability I shall take care, as the Constitution itself expressly enjoins upon me, that the laws of the Union be faithfully executed in all the States." And he then proceeded to say that, "there need be no bloodshed or violence; and there shall be none unless it be forced upon the national authority," but that, whatever the future should reveal, the Union should be preserved in its integrity, and the laws be executed to its extremest borders. There was no threatening, no bravado, or bluster, but a plain, distinct, and explicit announcement of his purpose, to protect, defend and maintain the National Government as intact as it was when it came from the hands of its founders. To his "countrymen, one and all," North and South, he made an earnest appeal, urging them to "think calmly and well" upon the advantages they had derived from "the old Constitution unimpaired." With his heart stirred by patriotic emotions he addressed himself directly to the organized enemies of the Union, in these words: "You can have no conflict without being yourselves the aggressors. You have no oath registered in heaven to destroy the government; while I have the most solemn one to 'preserve, defend, and protect' it." And as if further inspired by the hope, if not the belief, that they might yet be turned away from their rebellious course, he still further admonished them in these beautiful and pathetic words, which yet quicken the palpitation of every patriot heart: "We are not enemies, but friends. We must not be enemies. Though passion may have strained, it must not break our bonds of affection. The mystic cord of memory, stretching from every

battle-field and patriot grave to every living heart and hearthstone all over this broad land, will yet swell the chorus of the Union, when again touched, as surely they will be, by the better angels of our natures.”

Lincoln passionately loved the Union, and was unwilling to leave undone whatever, as President, he had the rightful authority to do, to convince its enemies of their disloyalty to it. He gave them full time for deliberation before resorting to harsh measures for retaking the forts, arsenals, guns and ammunition, which were the property of the United States and which they had unlawfully seized. In this he acted according to the promptings of his own generous nature, and was undoubtedly stimulated by the hope that his appeal to their reason and patriotism would not be unavailing. If any man ever acted under the dictation of kindly emotions he did under the circumstances here detailed, and if he had left no other evidences of his fitness for the Presidential office, they were abundantly sufficient to attest it. As there had yet been no blood shed, although a state of war existed and actual military operations were threatened, he flattered himself with the desire and hope that these calamities might be avoided and the direful consequences of civil war escaped, if there were yet left a single spark of patriotism in the hearts of the Southern people. And thus he became, at this important period of his administration, one of the grandest figures in modern American history—rising up to the loftiest altitude of statesmanship.

The peaceful overtures of Lincoln were met with scorn by the Southern leaders, who, already maddened by the

steps they had previously taken, were stimulated by their passions to still greater acts of folly. Within ten days of the inaugural, and in the very face of its frank avowals and earnest appeal, two commissioners, who pretended to represent an independent government of seven States which had withdrawn from the Union, appeared in Washington City and solicited an official interview with the Secretary of State. Their avowed object was to adjust by negotiation with the administration the relations thereafter to subsist between the two governments—that is, the old Union and the Southern Confederacy. Even this bold and flagrant act of disloyalty—unparalleled in impudence—did not disturb the equanimity of Lincoln; and he simply caused these commissioners to be notified by the Secretary of State that he did not consider the Union dissolved, but that the seven States which had assumed to themselves the power to dissolve it were still members of it and would be so regarded by him. There were no threats of violence accompanying this announcement,—nothing vituperative. On the other hand, it was but the repetition of the firm and resolute purpose he had expressed in his inaugural to maintain an unbroken Union. The communication to this effect was delivered to these pretended commissioners April 8, 1861, and immediately communicated to those who had appointed them, who availed themselves of its receipt to inflame still more the passions of their followers. The effect produced was precisely what they desired, for on the third day thereafter—April 11—the United States officer in command of Fort Sumter had made upon him a formal demand for the surrender of that fort to the “Confederate States.”

This he declined, and was thereupon notified the next morning, April 12, that General Beauregard would open "the fire of his batteries" on the fort in one hour thereafter. This threat was carried into execution and the fight continued for thirty-four hours, when the quarters of the fort were entirely burnt, the main gates destroyed by fire, the walls seriously injured, the magazine surrounded by flames; whereupon, after the ammunition and provisions were almost entirely exhausted, the fort was surrendered into the hands of the Confederates, who took possession of it on April 14, 1861. And thus the state of war which had previously existed was changed into actual war—the most destructive civil war of modern times. Lincoln did nothing to bring it on, but everything within his power to prevent it. It was the work, solely and entirely, of those misguided men who had persuaded themselves to believe, with strange infatuation, that Lincoln was an imbecile,—that the Northern people were social mud-sills, incapable of ever becoming soldiers,—and that they then had it in their power to pull down and destroy the grandest structure of civil government ever erected in the world. They were crazed by the firing of their own guns and the conquest of Sumter. Previous to that time they had professed to be only acting in self-defense, merely to repel the invasion of the South by the armies of the Union. But when Sumter fell into their hands so easily, they roused themselves up by their own shouts of rejoicing to such an extreme of hallucination as openly to avow the ultimate purpose of taking possession of Washington City, indignantly hurling Lincoln from the Presidential chair, floating their flag from the dome of the Na-

tional Capitol, and ultimately over Faneuil Hall in Boston! While salvos of artillery were sounding in their streets and reason had been driven from her throne, their usurping Secretary of War publicly made these treasonable boasts, and they were responded to throughout the South, especially by the newspapers. Among these, the Richmond *Enquirer* was in hot haste to say, the day after the affair at Sumter: "Nothing is more probable than that President Davis will soon march an army through North Carolina and Virginia to Washington;" and the New Orleans *Picayune*—about a week after—boastingly avowed that "the first fruits" of the rebellion would be "the removal of Lincoln and his cabinet and whatever he can carry away, to the safer neighborhood of Harrisburg or Cincinnati—perhaps to Buffalo or Cleveland."

It should not be forgotten that when these things occurred and these threats were made, there had not been a single man mustered nor a single gun furnished nor a single pound of powder issued by the United States for attack upon the rebellious authorities of any Southern State or any military preparations made for that purpose. When Lincoln became assured by the capture of Sumter that his appeal to Southern patriotism was entirely unheeded he could wait no longer, and on April 15, three days after Sumter had fallen, he issued his proclamation calling for 75,000 of the militia of the States to enable him to execute the laws, and called an extra session of Congress to meet July 4, 1861. Until then he had made no threats nor any hostile demonstrations against the South, but had appealed to the people there to cease

their hostility to the Union and obey the Constitution. It is no part of my purpose to treat of the military events which followed, for, besides being necessary parts of our national history, they are still recounted at thousands of our firesides by the gallant men who participated in them, many of whom testify by their wounds and shattered health the desperate character of the deadly conflict. And throughout the South there are multitudes of little hillocks which remind the survivors that husbands, fathers, brothers and sons gave up their lives for the "lost cause." How many of these—if they could speak from their tombs—would testify to the injustice of the cause for which they sacrificed their lives it is not given to any of us to know; but this we do know, without the least peradventure, that the Southern people were deceived and misled by those who assumed to be their leaders and superiors, and that instead of the final victorious triumph they were promised, their folly was rewarded by defeat and desolation. They went to war, not to resist interference with slavery in the States, for nothing of that kind was either threatened or contemplated, but for the sole right of maintaining such an interpretation of the Constitution as would allow them to transplant slavery in the Territories. Slaveholders demanded this and enticed non-slaveholders into the net dexterously woven by them, so that the latter became the best "fighting material" of the rebellious army. And the price they paid, in addition to the loss of thousands of brave men and millions of money, besides the humiliation of defeat, was the loss of all their slaves, every one of whom

was set free forever. How this was done by a few strokes of Lincoln's executive pen is easily told.

Lincoln, in the spirit of fairness which characterized his official conduct, on March 6, 1862—when the war had been in progress nearly a year—addressed a communication to Congress wherein he proposed that the States should be invited to free their slaves upon the condition that the United States should pay them a sufficient amount of money to compensate for their loss. This he considered justifiable under the Constitution as a war measure, and upon the score of economy as less expensive than the prosecution of the war; and his reasons having been approved by both Houses of Congress, efforts were made to carry his proposed plan into effect. A good deal was done in the border slave States looking to that end, but nothing was practically accomplished, and the war continued. Nevertheless, the proposition was creditable to Lincoln, because it displayed, not only his regret at the existence of civil war, but his ardent desire to bring it to an end and to remove entirely the cause of strife between the sections, because none knew better than he that slavery was the sole cause of the war. Opposition to this scheme came from two sources—the distinctive abolitionists, who were unwilling to recognize human beings as slaves, and the slaveholders themselves, except a few who were liberal-minded and patriotic. Not disconcerted, however, by this failure, and with all his energies devoted to the restoration of peace, he, on September 22, 1862, issued a proclamation wherein he declared that he would lay before Congress at its next ses-

sion this same proposition for compensated emancipation. But in this same document he notified all who were the owners of slaves in any of the States that their slaves would be set free on January 1, 1863, if upon that day the States in which they resided were in rebellion against the United States. This gave full three months' notice to the rebellious States of the condition upon which they had it in their power to save their slave property—the simple condition being that they should lay down their arms and revive their allegiance to the United States. This they refused, as everybody knows, so that when January 1, 1863, arrived, he issued another proclamation declaring that in the rebellious States "all persons held as slaves" shall thenceforth be "forever free."

The war continued—increasing, if possible, in violence and destructiveness. The conciliatory and conservative course of Lincoln contributed more to intensify than to lessen the passions of the South. The rebel troops pressed forward towards the North—finding nothing to impede them in the sympathizing South. They approached the National Capitol so nearly that the roar of the cannon at Bull's Run was heard in Washington City. Everywhere the excitement had become so intense that it could not have been surpassed. But Lincoln was calm and composed. His courage never failed. On the contrary, it rose with the occasion, and every message from the fields of blood and strife gave birth to increased energy and fresh resolutions to maintain the life of the nation and the integrity of the Union. In a private conversation with him, a few days after the battle of Bull's Run, we discussed the existing condition of affairs. He

had a map before him, upon the table, with his finger resting upon the point occupied by the rebel forces, and the question we were considering was how they were to be driven back. Neither of us was familiar with the strategies of war—the marches and counter-marches of contending armies,—but I shall never forget his appearance when, with his flashing eyes intently gazing into mine, he exclaimed with intense animation: “The rebels shall never cross the Potomac river, or if they do it must be done over my dead body; for the eternal hills shall fly ‘from their firm base as soon as I!’ ” Before I left him he added, in moderated tones: “It will all come right. The government will stand and the Union be preserved, in spite of all the powers that can conspire against them. The heart of the nation beats patriotically. God is upon our side, and will stimulate the courage and strengthen the arms of ‘the boys in blue.’ Mark what I say, it will all come right.”

And it did come right in so far as a flagrant wrong can ever do so. He was mistaken, however, in supposing that the rebel forces would never cross the Potomac,—his mind, at the time here referred to, having manifestly been directed to their attempt to capture Washington City. They did afterwards succeed in crossing into Maryland at Harper’s Ferry and in concentrating in large numbers at Gettysburg, in Pennsylvania, from which point after their defeat in one of the brilliant battles of the war they ultimately returned into Virginia, where, with General Lee in the chief command, their army was drawn together at Richmond, Petersburg, and intermediate points. Here the end was reached. The hard

blows of Grant could be withstood no longer. Lincoln's prediction was fulfilled:—God was upon our side, and “the boys in blue” were invincible. Then came the period of “reconstruction,” and that, too, has been completed; and we now present to the world a Union which has survived the shock of the fiercest war of modern times,—is bound fast together by the sentiment of a common nationality,—and is stretched out from ocean to ocean, with not one broken link in the chain which binds the States together and holds more than sixty millions of people in fraternal unity. The light which madness and folly attempted to extinguish is growing brighter and brighter every day,—flashing forth to all the nations and peoples of the earth from whom the blessings of Christian civilization have not been withheld. To us, therefore, who have survived the terrible crisis of civil war, and to the generation since born—both in the North and in the South—the lesson taught by the rebellion should not be lost, so that the patriotic sentiment of Jackson may sink deeply and abide in every American heart, “the Union forever, one and inseparable.”

Lincoln's method of conducting the war and the conservatism of his policy—even to the extent of his emancipation proclamation—were approved by the loyal people with extraordinary unanimity. Before the termination of the conflict, and when the deepest anxiety pervaded all the circles of society, a nominating convention met at Baltimore, June 7, 1864, to select his successor, by which, after adopting a platform indorsing his policy and earnestly maintaining the Union, he was unanimously renominated, together with Andrew Johnson, of Tennes-

see, as a candidate for the Vice-Presidency. In opposition to these nominations another convention was held in Chicago, August 29, 1864, by which it was declared "that after four years of failure to restore the Union by the experiment of war," the time had arrived which demanded "that immediate efforts be made for a cessation of hostilities," and the questions then made, by the South, dependent upon the issue of war, should be submitted to a National Convention. By this body General George B. McClellan was nominated for the Presidency, and George H. Pendleton for the Vice-Presidency. Thus the issue was distinct and emphatic—whether the war should be abandoned as a "failure" or fought out to the bitter end. The result was, that in the 25 States that voted—11 not voting—the aggregate popular vote was 4,024,792, of which Lincoln received 2,216,067, and McClellan 1,808,725,—this giving to the former a majority of 407,342 over the latter, who received majorities in only three States, Delaware, Kentucky, and New Jersey. The electoral votes cast were 212 for Lincoln, and 21 for McClellan. In his second inaugural, delivered March 4, 1865, Lincoln exhibited no signs of quaking nerves, but expressed a resolute determination to carry on the war, although he accompanied this declaration with the fond hope and fervent prayer to God that the "mighty scourge of war may speedily pass away." And he closed with these pathetic and eloquent words: "With malice towards none, with charity for all, with firmness in the right as God gives us to see the right, let us finish the work we are in, to bind up the nation's wounds, to care for him who shall have borne the battle,

and for his widow and his orphans, to do all which may achieve and cherish a just and a lasting peace among ourselves and with all nations.’’

The re-election of Lincoln, together with his stirring words and resoluteness of purpose,—indicating, as they did, the most unfaltering courage—had, doubtless, much to do with the surrender of Lee, and the consequent collapse of the rebellion. That event occurred April 9, 1865,—a little over a month after the inaugural—and with it the great conflict came to an end, the indissolubility of the Union was established, and its integrity vindicated. All patriotic hearts bounded with joy, and wherever throughout the North men, women or children were gathered together each congratulated the other that the end of fratricidal strife was near. Sorrow for the afflicted South—its deserted hearthstones, agonized and lacerated hearts, and desolated fields, took the place of revenge, and there was not a single heart in all the land more filled with sympathy than that of the generous-minded Lincoln. He was at the headquarters of Grant when that great soldier was encircling the forces of Lee, as the anaconda winds itself around its victims, and before he left for the capital clearly foresaw that the proud and rebellious spirit of the South was broken. After he reached Washington City an immense crowd assembled in front of the executive mansion, and then for the first time since his first inauguration he was enabled to say to them that they met “not in sorrow, but in gladness of heart,” and to promise that he would proclaim “a national thanksgiving.” With most becoming modesty he referred to himself, seeming to have forgotten his own

participation in the cause of the Union, while his heart overran with gratitude to the gallant men who had borne the "harder part" upon the march, in the camp, and upon the fields of battle. Of these he said: "Their honors must not be parceled out with others. I, myself, was near the front, and had the pleasure of transmitting much of the good news to you. But no part of the honor for plan or execution is mine. To General Grant, his skillful officers, and brave men, all belongs." He never spoke afterwards in public. On the evening of April 14, 1865,—less than six weeks after his second inauguration, and on the third day after these last public utterances—the felonious and traitorous bullet of the assassin terminated his earthly career. Everybody is familiar with the story of that sad event,—it has been learned by the children from their school-books, and repeated in melancholy tones at thousands of firesides. It stands out so prominently among the most heinous crimes of the age that the death of the assassin does not atone for it. The deep-seated melancholy which it occasioned attested the high estimation in which he was held by patriotic people everywhere, and among them the sentiment was universal that he

"Hath borne his faculties so meek, hath been
So clear in his great office, that his virtues
Will plead like angels, trumpet-tongued, against
The deep damnation of his taking off."

So much has been said, written and published illustrative of the life and character of Lincoln, both public and private, as to render any additional reflections of mine

unnecessary. Besides, in what has been here said, I have had other objects in view, the chief of which has been to show that, upon the score of services to the Union cause, there were none who surpassed him or who served that cause from purer, more disinterested or more unselfish motives. Judged of by the events which were crowded into the four years of his Presidential service, he stands out prominently to the public view as one of the most conspicuous figures of modern times. His name will continue to adorn the pages of American history so long as the Union shall exist, and if there shall ever come a time when it does not, even then it will incite the admiration of all who venerate integrity of purpose and those high qualities of head and heart which make their possessors fit examples for imitation. Not one of the twenty-one Presidents I have seen and known, in my opinion, surpassed him in those attributes of character which were developed by him during the perilous course of his administration. From the beginning to the end he never flinched or exhibited the least signs of indecision or wavering. Nor did he ever doubt the final result. Accordingly, if misfortunes befell any portion of the Union army or their columns were broken by the enemy, his hope and expectation of final triumph never forsook him. His courage was never shaken and imparted its influence to others, so that there, perhaps, was not an instance where those who had intercourse with him did not have their patriotism refreshed and strengthened. I have known instances of that kind, and there were doubtless many others, which combined to prove that he possessed a personality so strikingly marked as to do

much towards molding and directing public sentiment, by this means serving the cause of the Union.

Lincoln was plain and simple in his manner. There was not the least pride or ostentation about him. He possessed a high appreciation of those who made themselves worthy of his confidence by meritorious conduct, while the rules sometimes prescribed for the creation of ranks and orders in social intercourse were unknown to him. He measured men by their worth, not their pretensions—by their conduct, not their mere professions. While he was sometimes liable to be deceived—for his was not a suspicious nature—he was not apt to be. These and other kindred qualities contributed largely to his success, not only in the management of civil affairs, but in the conduct of the war. He was not fretful at just criticisms upon his official conduct, and when convinced of error—which, in his position, was unavoidable—he did not hesitate to correct it. To sum it all up in a few words, he was “the right man in the right place,” if there ever was one such.

Some considered Lincoln to have been a wit, but I do not think so, but rather that he was a humorist. They base their opinion upon the fact that he frequently illustrated his meaning by anecdotes, which were almost always appropriate. Many of these have been given to the public, and if I deemed it necessary to the object I have now in view I could easily swell their number. They were the result of memory. He had stored them away in his mind, in which repository they were kept until some suitable occasion called them forth, as if by sudden and unpremeditated impulse, when, without

any apparent effort, he made them happily illustrative of some pertinent fact or idea. In this respect he had few if any rivals, and while there was much about this habit both to amuse and instruct, I have preferred to keep fresh in my remembrance his high qualities of statesmanship and his admirable adaptation for the great office he filled under what seemed to me to be providential guidance. There might have been others whose talents and virtues would have adorned that station and who would have clung to the Union with the utmost fidelity, but, in my opinion, there was then no other man in the United States who combined, in so great a degree, the eminent qualities necessary for the crisis. Among these qualities was a sincere, ardent and unfaltering devotion to what he believed to be the best interests and the permanent welfare of all the sections. He never for an instant suffered himself to be influenced by hatred of the South, even during the saddest and darkest hours of the conflict. He indulged only in language of remonstrance, not reproach, but kept constantly before the public mind the great benefits of an undivided Union and the national security and prosperity it alone could secure. His tender sensibilities—childlike in their simplicity—were aroused at the reflection that the necessities of war rendered it necessary that the homes and fields of the South should be desolated, and there was no time between his inauguration and his death when, as I verily believe, he would not have offered his own life to turn away the scourge. If he erred at all, it was the error of the head, not the heart, for in that receptacle of the tender emotions of our nature he allowed no passion or animosity to disturb the

dominion of those emotions. He yielded to them in everything he did, and if, as was sometimes the case, the enthusiasts of the North complained of the absence of severity in his treatment of the South, he warded off their censure by solemnly declaring, under a full sense of his responsibility, "whatever shall appear to be God's will I will do;" thus making his own conscience, as enlightened by Divine wisdom, the dictator and guide of his official conduct.

While just men, everywhere, now look upon the administration of Lincoln as having been conducted upon just, conservative and patriotic principles, and cherish a sentiment bordering upon veneration for his memory,—may not the hope be indulged that the prejudice towards him in the South is rapidly disappearing? When this shall be accomplished—if it has not already been—the old sectional lines will be blotted out as if never existing, and the people of the North, South, East and West, held in union by the spirit of national concord, will plant our institutions so firmly that no power upon earth shall be able to remove a single pillar from its base. Then—to employ Lincoln's own words—there will be no future "appeal from the ballot to the bullet," but the union of the people of all the States will rest upon such foundations that no time shall come, in all the future of the nation, for funereal ceremonies at the grave of constitutional and popular liberty.

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